

2002

## Family court counselling clients and spouse abuse incidence, couple typologies, and outcomes

Alan Crockford  
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**FAMILY COURT COUNSELLING CLIENTS AND SPOUSE  
ABUSE: INCIDENCE, COUPLE TYPOLOGIES, AND OUTCOMES**

A thesis submitted in fulfilment of the requirement for the award of the degree of

**MASTER OF SCIENCE (HONOURS)**

from

**UNIVERSITY OF WOLLONGONG**

by

Alan Crockford

**THE UNIVERSITY OF WOLLONGONG  
GRADUATE SCHOOL OF HEALTH AND MEDICAL SCIENCES**

**OCTOBER 2002**

## **DECLARATION**

I declare that the thesis titled “Family Court Counselling Clients and Spouse Abuse: Incidence, Couple Typologies, and Outcomes” is entirely my work. References to the work of others are indicated in the text. This study has not been submitted for any other degree to any other university.

**Alan Crockford**

**2002**



## **DECLARATION**

I declare that the thesis titled “Family Court Counselling Clients and Spouse Abuse: Incidence, Couple Typologies, and Outcomes” is entirely my work. References to the work of others are indicated in the text. This study has not been submitted for any other degree to any other university.

**Alan Crockford**

**2002**

## ACKNOWLEDGMENTS

I am grateful to the Family Court of Australia research committee for approving this research.

David Foster's enthusiasm for the proposal and his ongoing encouragement and support throughout the time he was Director of Court Counselling Sydney for this project is gratefully acknowledged.

The practical assistance and kind cooperation of the clerical staff in the participating Family Court Registries was invaluable during the critical initial data collection phase of the research. I am thankful for their contribution.

This project would not have been completed without the enthusiastic encouragement and attention to detail of Paul O'Halloran, of the University of Wollongong. He contributed greatly to the task of developing research questions and the research questionnaires during the difficult initial stages of gaining ethics committee approval and support for the proposal. After Paul left the University and appropriate University Supervisors, with the time to take over the supervision role became increasingly difficult to find Professor Dennis Calvert kindly volunteered his time. Dennis, despite an extremely heavy workload, has been generous with his time and has guided the project through much of the data analysis and thesis writing to a satisfactory conclusion. I am very grateful to Dennis for his contribution and support.

The encouragement of work colleagues in Wollongong is also acknowledged and gratefully appreciated.

## **ABSTRACT**

A couple survey research design was employed to collect data from a representative sample of court counselling clients who attended the Registries of the Eastern Region of The Family Court during a survey period of 1 month (July, 1995). The central objective in the study was to collect data on the incidence of abusive relationship behaviour. The client survey instruments consisted of a “demographic questionnaire” which all clients were asked to complete when they attend for their counselling interview, a Form A for clients that identified spouse abuse as a problem in the demographic questionnaire, or a Form B, a shorter version, for client couples who did not identify spouse abuse as a problem. The Form A or B was posted to the clients’ home address once the counselling intervention had ended.

At the end of the counselling intervention for the survey clients’ counsellors complete an Outcome Form. This form provided additional information in relation to agreements reached, counselling process variables, whether or not violence was disclosed during the counselling intervention, and if disclosed the nature of the violent behaviour. Longitudinal outcome data was collected 8-9 months after the survey from a sub-sample of 40 clients (25 female and 15 male) during a 30–40 minute telephone follow-up interview with clients.

The results indicated very high levels of abuse with 80 % of women and 61 % of men reporting that there had been emotional and/or physical abuse in their relationships. Considerable variability was noted between the reported incidences of violence from the perspectives of ex-partner report, self-report, and counsellor report. It was evident from the data that violence was under-reported and minimised during counselling interviews. The differences between self-report and ex-partner reported violence was difficult to explain. It was; however, very evident that couple-data analysis methods hold considerable promise and probably constitute the best methodology for obtaining accurate estimates of the prevalence of sensitive behaviours such as spouse or child abuse. In the present study there was only a small number of couples with complete

data and consequently we were not able to develop data based typologies from the couple data, as had been our objective.

Despite the variability in the incidence from the different data sources the prevalence of serious and very serious violence and minor violence was estimated as follows; -very serious violence was perpetrated by 38% of males and 9% of females; serious violence was perpetrated by 40% of females and 40% of males and minor physical violence was perpetrated by 59% of males and 58% of females. From the verbal and psychological abuse questions it was also estimated that 76% of couples, presenting to the Counselling Service are highly conflictual, 18% moderately conflictual and only 6% were mildly conflictual. It was found that in addition to men being more likely to use serious violent tactics women were more than five times as likely to be injured requiring medical treatment as men. The interview material and other data confirmed that significant numbers of female court clients are afraid of their ex-partners.

Men on the other hand do not seem to have this experience of being afraid of partners, but significant numbers express fears that the relationships with their children will be damaged, because of the ex-partners' rage or vindictive feelings. Some may be accurate, but others avoid responsibility for their own violent behaviour in their account of the problems. Thus it is concluded that accurate assessment of violence is important for appropriate interventions. Moreover it is evident that further research utilising couple data to replicate the present findings is greatly needed.

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# **CHAPTER ONE**

## **INTRODUCTION**

## **HISTORICAL BACKGROUND TO THE COUNSELLING SERVICE**

The present Family Law system in Australia was introduced by the reformist Whitlam Government in January 1976. This legislation (The Family Law Act 1975-76) had a strong philosophical emphasis on conciliation and it established an in house Counselling Service. A system of compulsory conferences with Deputy Registrars to conciliate financial disputes was also established in the case management guidelines of the Court from a very early date.

More recently the mandate of the Family Court and the Counselling Service has been extended to include the resolution of disputes involving residency and contact arrangements in relation to ex-nuptial children. In recent years the Counselling Service has also attempted to develop new intervention models, including group programs, to deal with families that experience complex problems and difficult or intractable disputes. This has included a stronger focus on risk assessment and different interventions in cases that involve domestic violence and or child abuse.

Under the present legislation and case management guidelines all parents, who come to the Court to resolve their disputes over arrangements for the care of their children, must attend conciliation counselling. Parents are thus required to demonstrate that they have made a genuine attempt to resolve these differences with the assistance of a neutral third party before a judicial decision is made available to them. Similarly separating couples are also required to attend conciliation conferences with a Deputy Registrar of the Court with a view to reaching a negotiated agreement in relation to the division of their property or other financial issues before the Court will allow a litigated resolution of these matters.

## **CONCILIATION COUNSELLING AND MEDIATION**

Mediation was introduced much later into the alternative dispute resolution system of the Court and was superimposed on this well-established existing system of conciliation and conciliation counselling in January 1992. The model selected required voluntary

participation, conducted by co-mediators, one of which came from a legal background and the other from a social science background, and if possible one male and the other female (for a fuller discussion of these developments see. Brown, 1992, Chisholm 1991, Davies and Clarke 1991, Gee and Urban 1994, Gibson 1992. and Wolcott 1991.).

## **COUNSELLING OR MEDIATION IN CASES INVOLVING DOMESTIC VIOLENCE**

The Court mediation policy is consistent with the views of many such as Gribben (1994) who consider that there must be a presumption of exclusion for cases in which a history of serious partner abuse has been established, unless the victim provides a strong argument that she is not fearful, and confident that she can negotiate on equal terms. In the light of the critiques of Astor (1994 a & b) and others, which highlight the risks of obtaining coerced agreements, this presumption that partner abuse should, unless there is evidence to the contrary, be excluded from conjoint mediation would seem appropriate.

The question of the appropriateness of counselling interventions with spouse abuse cases is similar to, but at the same time different from, the mediation debate. Family Court counsellors have a much greater degree of flexibility in the interventions they use than mediators. The Court also utilizes a range of procedures to inform clients that their safety is a priority. Clients are thus encouraged through signs on Court premises and all appointment letters to contact Court staff prior to Court appearances or attendance for a conference or counselling appointment if they have concerns in relation to their safety. In practice large numbers of clients attend separate interviews and women can attend at a different time or on a different day not known to their ex-partners. If appropriate shuttle techniques are used to help the parents negotiate.

The general conciliation-counselling model employed within the Counselling Service is in many respects a similar dispute resolution approach to most family mediation models. In fact if the Family Court had been established in recent times it is likely that the term "therapeutic mediation" would have been used to describe the approach rather than "conciliation counselling". In comparison to most family mediation models



conciliation counselling is less structured and has an emphasis on combining a wide range of counselling strategies with the negotiation techniques used in mediation interventions. Conciliation counselling may also be more directive and the counsellor can give advice or express an opinion in relation to how a judge may decide the issues.

## **THE IMPORTANCE OF SPOUSE ABUSE INCIDENCE DATA**

The need for consistent policies in relation to this clinical sub-population of clients with relationships characterized by violent and abusive behaviour is clear. There is, however, a complete lack of research data in relation to the extent of violence in litigious and conflictual populations in Australia and overseas. There is some evidence from a client satisfaction study completed by Davies et al. (1994) and (1995) with a population of Family Court clients that partner abuse is a common problem. They reported that 69% of females and 53% of males in their sample of court counselling clients regard physical or emotional abuse as a significant issue. Overall 61% of their sample of 144 male and 148 female clients were concerned about ex-partner abuse, however, the client sample all came from clients attending for counselling at the Lismore Registry and consequently it is difficult to generalize this data to the broader Australian community.

The only research study that has explored the problem of spouse abuse in clients from a more diverse demographic background attending the Family Court Counselling Service was an Australia-wide phone-in organized by various women's groups and domestic violence service providers. This telephone survey was held over a three-day period in October 1988 (c.f. Mossop 1989 and Bailey-Harris 1991). The researchers in this project utilized an extensive public media campaign and publicity through women's groups and providers of women's shelter services to invite women, who had left violent relationships and had been clients of the Family Court Counselling Service, to phone-in to speak about their experiences. The methodology used in this project raises serious questions in relation to how representative the respondents were of the whole population of Family Court counselling clients who had experienced violence in their relationships.

There has been a range of studies that are suggestive of a much higher incidence rate of partner abuse in family court populations than would exist in the broader community. For example Kalmuss and Seltzer (1986), drawing on data from the 1976 National Survey of Family Violence in the United States (Straus, Gelles and Steinmetz, 1980), found that spouse abuse is twice as likely in remarried as in intact families. While Eisikovits et al. (1991) in a study of families recruited from public welfare agencies utilizing a matched sample of violent and non-violent men found that it was about four times more likely that the violent man or his spouse and filed for divorce, at least once, than was the case in the matched sample of non violent couples. Similarly the divorce mediation literature, which is discussed in the literature review chapter, identifies incidence rates of domestic violence that are as high as more than four times the rate found in the National Surveys of American families.

In the twenty-three years since the inception of the Court Counselling Service there has been a significant expansion in marriage counselling agencies. We have also seen the introduction of Community Justice Centers that mediate a range of disputes including family issues. This expansion has accelerated since 1988 when the Commonwealth Attorney General commenced funding the establishment of new family mediation services and the expansion of a number of existing family/divorce mediation services. The legal profession has also over this time period progressively embraced the philosophy of conciliation and mediation and many family law practitioners have developed expertise in mediation.

The success of and continued expansion of these community based dispute resolution services has had the effect of filtering out many couples with some negotiating capacity and leaving the Counselling Service with an increasingly more dysfunctional client base. Thus, clinical experience would suggest that separating individuals with borderline personality disorders, other major psychological and emotional problems, and individuals that are prone to resolve disputes with their sexual partners by employing violent and abusive tactics are likely to be over-represented in the client base of the Counselling Service. It is also likely that clinical skills and approaches that have been employed in the past will require extensive modification over time in response to these changes. There is, thus, a need for basic data in relation to the profile of the

Court's client population to establish the incidence of spouse abuse and other clinical problems to guide the rational development and modification of clinical practice.

The Family Court of Australia is still the only Family Court system that provides an in-house counselling service that is available to the general public as well as litigants that have matters currently before the Court. Consequently much of the extensive body of overseas research is of limited utility in relation to the specific research questions that require answers in our context. Some of the mediation research from overseas is of some relevance and in recent years it has become a common practice, especially in a number of States of the United States of America, to make mediation mandatory for divorcing couples that are seeking to litigate their disputes.

## **THE RESEARCH QUESTIONS**

This present study was designed

- to develop a comprehensive picture of the prevalence of verbal, psychological, emotional and physically abusive behaviour in the relationships of parents who utilise Court services to resolve their disputes and
- to address a number of hypotheses and predictions which arose from a study of the published literature.

The hypotheses or predictions, which arise from the literature review discussed in the next chapter, were as follows: -

**1(a). *It is predicted that a high incidence of both verbal/ psychological and physical abuse will be reported by both male and female respondents, which may be as high as 50% for minor physical violence and at much higher levels for psychological abuse.***

**1(b). *It is predicted that female respondents will report a higher frequency of their own and their partners' abusive tactics than will their male partners.***

**2(a) *It is predicted that male violence will be more prevalent than female violence.***

- 2(b) *It is also predicted that in the more serious cases of physical violence perpetrated against women, which may include beatings that require medical treatment, the female partner would perpetrate little physical abuse because of her extreme fear of her partner's behaviour (Straus, 1990b).*
3. *It is hypothesized that over 50% of our survey population of either sex will report high levels of verbal abuse and conflict and are likely to report their partners as having decision making power over them.*
4. *It is hypothesized that a history of the first episode of violence occurring during the first pregnancy may characterize Saunders' (1992) emotionally volatile type and that it will also be an indicator of a significant escalation in violence during the separation crisis.*
- 5 *It is hypothesized that sexual abuse is likely to be associated with physical abuse and an escalation of violence during the separation crisis.*
6. *It is predicted that a significant number of respondents will report escalation in the range and frequency of abusive tactics employed by both partners during the separation crisis.*
7. *It is predicted that a number of respondents will report that physical abuse occurred or the first time during the separation crisis and associated dispute over custody or access, confirming that separation is a risk factor and trigger for violent behaviour.*
8. *It is predicted that the counsellors will report that their clients had reported high levels of male initiated violence.*

## **CHAPTER TWO**

### **LITERATURE REVIEW AND PREDICTIONS OR HYPOTHESES**

## RECOGNITION OF THE PROBLEM OF PARTNER ABUSE

Research and theoretical interest in the question of spouse abuse dates from about the mid 1970's. Throughout the 1960's there had been a period of burgeoning research and increased theoretical interest in the topic of child abuse. The research and theoretical literature during this period of time did not make clear distinctions between the various forms of family violence and most articles appeared to treat the clinical terms of family violence and child abuse as synonymous (c.f. Gelles 1980 and Davis 1987).

It was the re-emergence of the women's movement that created the major impetus for the serious study of wife abuse and much of this early literature attempted to highlight the plight of the battered wife. One of the first major books on the subject was published in 1976 (Martin 1976). Del Martin subsequently commented that she located few useful references when researching this book and wrote "When I began to research my book *Battered Wives* in early 1975, I found that most people quickly changed the subject to child abuse" (Martin 1985 p1).

Gelles (1980) in his review of the early research on domestic violence in the seventies argues that the research issues during this period were to: (1) establish reliable estimates of the incidence of the various forms of family violence; (2) identify factors associated with violence in the home and (3) to develop explanatory theoretical models of the causes of family violence. Many of these early studies seeking to establish reliable incidence estimates were plagued by definitional problems and non-representative samples, however, one study conducted by a research team headed by Murray Straus in 1976 was based on a nationally representative sample of American families and used a standard operational definition of violence (Straus, Gelles & Steinmetz 1980). These investigators based their estimates of the various types of domestic violence on the self-reports of a nationally representative sample of 2,143 individual family members, who responded to an instrument that is now known as Straus' Conflict Tactics Scale (Straus, 1979).

The research questionnaire in the present study replicates this basic methodology by administering a questionnaire, which contains as a significant component a modified

version of the conflict tactics scale (CTS), to a representative sample of Family Court counselling clients. The central purpose being to obtain reliable data in relation to the tactics employed by clients to resolve their differences and derive reliable estimates of the incidence of spouse/ex-partner abuse in the population of court clients.

The CTS is still a very commonly used research instrument in the field of violence research and has been used in an enormous number of research studies utilizing a wide array of research designs and methodologies. The CTS is not closely tied to any particular definition of violence and provides a measure of three categories of "conflict tactics", which are the use of: - (1) rational discussion (2) verbal aggression and (3) physical force or threat of force (known as the violence scale).

Straus and the numerous other researchers that have used this scale to obtain quantitative data on the incidence of spouse abuse have generally used aggregate wife data or aggregate husband and wife data. This form of analysis has been employed in the present study, however, this method of analysis does have significant limitations, because of the extremely sensitive nature of the information and the propensity of respondents to conceal or distort information in their responses. The questionnaires were, thus, designed in male and female versions with the intention of using data derived from the couple (ex-partners) as a unit of analysis.

## **GENDER DIFFERENCES IN REPORTING VIOLENCE**

Szinovacz (Szinovacz, 1983 and Szinovacz & Egley 1995) using the CTS demonstrated that couple data was a superior methodological tool compared to aggregate data. Szinovacz's findings indicated that wives are somewhat more likely than their husbands to acknowledge both their own violent behaviour and that of their husbands. Straus and Sweet (1992) using data from the nationally representative sample of American families found a similar pattern of male under reporting of verbal aggressive behaviour in their relationships and they also concluded that women reported more acts of verbal aggression regardless of whether women are victims or aggressors in the acts.

There was considerable controversy following the publication of the national sample data in the United States (Straus, Gelles & Steinmetz 1980), which indicated that wives engaged in similar levels of violence as their husbands (4.6 percent of wives admitted or were reported by their husbands as having engaged in violent tactics). Steinmetz (1978) highlighted this finding in a separate article which triggered an extremely heated controversy in the family violence literature over the issue that the research suggested that spouse abuse was a mutual relationship problem (see Flynn 1990 for a discussion of this controversy).

Flynn (1990) argues that the major criticism that has been advanced by feminist writers in relation to the CTS "is that it measures only the reported acts of violence, while failing to tap either the intention of the perpetrator or severity of the injury that was inflicted" (p195). Dobash and Dobash (1984) were among the first to publish research that focused on a detailed study of the violent event. Their methodology consisted of conducting in-depth interviews with subjects (women's refuge residents) by asking a series of identical questions about four specific physical attacks: the first, the worst, the most recent and a typical, or usual episode. One of their major findings was that the majority of men, who use violence against their wives, would seem to enter verbal confrontations with the intention of punishing, regulating and controlling their wives by coercive tactics including the use of physical force. The Dobash and Dobash qualitative research study and the work of a number of other feminist researchers (e.g. Pagelow 1981, Walker 1979, Walker 1989, and Makepeace 1986) would suggest that female use of violence is predominantly self-defensive.

Despite the criticisms of the CTS and the population survey methodology it has been only in the last decade or so that any research studies have appeared that have focused on the development and validation of instruments to measure family violence. Currently this body of research consists of a handful of small-scale studies. Researchers have utilized the qualitative research findings with populations of battered women to generate items for new scales or have retained the CTS but modify the procedures and the scale in response to the criticisms made. Utilizing the latter method Saunders (1988) used a modified CTS instrument with a sample of battered women. The subjects were also asked about their motivation for using the various tactics and to



estimate the percentage of times the tactics were used in: (1) self-defense, (2) an attempt to fight back and (3) when threatened with a weapon or anticipating a physical attack from their partner. This method has, in part, been incorporated into the present study by asking female respondents to indicate the percentage of times they acted violently in self-defense.

## **QUESTIONNAIRE RESEARCH HYPOTHESES**

A number of predictions or hypotheses relating to the present investigation arise when we consider the literature. The literature is largely non-Australian; but family violence is universal, and I expect the predictions from the literature will be borne out in this Australian sample (drawn from various NSW locations), which is the focus of the present study.

The representative sample research of the Straus group of researchers is a productive source of hypotheses. The group undertook a further survey of a representative sample of the American population in 1985 to investigate changes in incidence rates over the ensuing decade and remedy some of the methodological problems based on the criticisms of the feminist advocates and researchers (Straus and Gelles 1986).

In the book version of the 1975 survey research Straus, Gelles and Steinmetz (1980) published data that suggested that both sexes engaged in spouse abuse at similar levels (26-29% of the population). They also noted that 49% of the abuse reported was mutual abuse with both partners perpetrating abuse, with about 27% of cases in which the male was the only perpetrator and 24% in which the woman was the only perpetrator. We do not have any similar Australian representative sample research, whilst there has been even less research in Australia or overseas into the incidence of violent or abusive behaviour in separating couples. There have been some family mediation population studies in America, but mediation research within this population segment has been plagued by different definitions of violence and abuse and hence a wide range of incidence rates have been quoted in the literature.

There has been a small number of well designed Australian studies on the incidence of homicide and intimate homicide, which permits us to draw conclusions in relation to the incidence of very serious violence in our community. These studies and evidence from a wide range of other criminal data sources suggest that the incidence of serious violent offending behaviour in Australia is different to the American experience. These differences would seem to be, however, predominantly reflected in the incidence of violence perpetrated on strangers and the rate of violent crime. Research on the incidence of domestic homicide in particular clearly demonstrates that violence within the family and other intimate relationships is a much larger proportion of the severe violence problem in Australia (Easteal, 1993, Polk & Ranson, 1991, Wallace, 1986 and Women's Coalition Against Family Violence, 1994). This research suggests that the rate of stranger homicide in the United States is higher than Australia, but the incidence of serious domestic violence in Australia, including domestic homicide, is of a similar magnitude to the incidence rates found in the American population.

In a Family Court study of domestic homicide in Victoria, Hore, Gibson and Bordow (1996) found that 59% of their sample had either separated (46%) or prior threats to separate were recorded in Coronial records (13%). Similarly, Wallace (1986) in a study of homicide in NSW found that separation was a factor in the deaths of almost 50 % of women that were killed by their spouses. Many other writers have identified separation as a high risk time for an escalation in spouse abuse in relationships that have been characterized by violence and others like Johnston and Campbell (1993) have argued that spouse abuse may occur for the first time following the trauma of separation. It would, thus, be reasonable to anticipate a much higher incidence of spouse abuse in the conflictual separated couples that present at mediation services or at the Family Court Counselling Service. Chandler (1990) reports that mediation service providers, in the United States, have reported a wide range of domestic violence rates that range from 10% to 28% and up to 37% for divorced client groups. Chandler also reports that some divorce mediation programmes have quoted stable rates of around 50%.

Newark, Harrell and Salem (1995) in a study of clients attending family Court Services in Portland and the Minneapolis Family Court districts of the United States found that

80% of women and 72% of men reported having been abused in the research questionnaire, which measured the more extreme forms of intimidation (stalking, and telephone harassment) and physical abuse. A recent study (Davies et al 1995 and 1998) by the Family Court Counselling Service in Lismore found that 61% of clients regarded physical and or emotional abuse as a significant issue for them at the time they attend the Counselling Service (53% male and 69% female).

These higher incidences of domestic violence in court populations as distinct from the clients who present to the non-court based mediation services and the corresponding differences between these mediation services and the general population are understandable, especially if we assume a close association between high conflict and violence. Within the present system we have extensive state legislation in relation to domestic violence to provide opportunities for victims to take out protective restraining orders and associated court, police, and a limited range of other support services in most communities. However, the challenge of providing an appropriate range of specialized interventions to meet the needs of these relatively large numbers of families experiencing serious difficulties of high conflict and violent behaviour, when a separation takes place, has not been undertaken in our community in any systematic way.

***1(a). In the light of these American data and the small scale Australian study it is predicted that a high incidence of both verbal/ psychological and physical abuse will be reported by both male and female respondents, which may be as high as 50% for minor physical violence and at much higher levels for psychological abuse.***

***1(b). Based on overseas research findings it is predicted that female respondents will report a higher frequency of their own and their partners' abusive tactics than will their respective partners.***

In addition to the research already quoted on gender reporting differences Stets and Straus (1990a) using data from the second national survey found that the rate of severe violence by men was almost four times greater when the respondents were women than when they are men.

In the present study the responses to the CTS of the small number of couples who both completed the research questionnaire is examined to investigate gender differences in reporting. In the design of the second National survey in the United States an attempt was made to measure the intentionality of the violent behaviour by seeking a response to the question of who initiated the physical abuse on the last occasion they got into a physical fight (Stets and Straus 1990a). This question was included in response to the criticism of Saunders' (1988) and others that most female violent behaviour is self-defensive or retaliatory. The responses did not confirm the argument and women struck the first blow as least as often as the man did (Stets and Straus 1990a pp154-155).

Saunders' (1988) approach of asking direct questions in relation to perpetrator motivation is preferred to the Stets and Straus (1990a) approach for many reasons (not the least of which is that it is possible for women to behave defensively and still strike the first physical blow).

***2(a) It is predicted that male violence will be more prevalent than female violence.***

***2(b) It is also predicted that in the more serious cases of physical violence perpetrated against women, which would include beatings that require medical treatment, that the female partner would perpetrate little physical abuse because of her extreme fear of her partner's behaviour (Straus, 1990b).***

In the original 1975 USA population survey it was found that those respondents who reported no disagreements in relation to domestic decisions also reported an extremely low level of violence, but there was a strong tendency for violence to increase as the amount of conflict reported increased and this trend applied similarly for husbands and wives. The researchers also found that there was a strong correlation between verbal aggression and physical aggression and that the link between verbal abuse and physical violence was greatest for those couples with the most conflicts. While moreover it was conflict over issues related to children, which was the most likely to lead a couple to blows (Straus, Gelles and Steinmetz 1980).

In a more recent analysis of the data Coleman and Straus (1990) examined the relationship between decision making power, conflict and violence. In this analysis they found that violence rates were low for all couples when conflict was low, but as conflict increased violence rates increased most rapidly for female-dominant relationships, closely followed by male-dominant relationships. At the same time relationships that were reportedly characterized by divided or shared decision making power showed a much more gradual increase in violence as conflict increased and equalitarian relationships seemed to be able to tolerate high conflict levels without a corresponding increase in the violence rate

In the Portland and Minneapolis United States study of Family Court Services clients, referred to previously, it was reported that both men and women typically perceived their partners as having substantially greater decision making power in a number of areas. However abused women reported a much greater differential in decision making than did non-abused women and with the exception of issues related to how the children were brought up they perceived their partners as being more powerful than did the nonabused group. Men that reported having been abused by their female partner showed a slightly different pattern in comparison to the nonabused group. The difference in the abused and non abused men's reports of the decision making power were significant for only two items; with more abused (71%) than nonabused (59%) indicating their partner often or sometimes made decisions about how he used free time, and more abused (63%) than nonabused (45%) reporting that their partner had more power over where they lived. However, scores on the whole decision-making scale were significantly lower than for the non-abused men (Newmark, Harrell and Salem 1995).

In the light of the above body of research evidence it might be hypothesized that client perception of the partners greater decision making power and a history of high conflict in the "normal" relationship are likely to be correlated with and good predictors of an escalation of violence during the separation crisis. It may also be hypothesized that high conflict and a pattern of female-dominated decision-making power and also male-dominated decision-making power would predict violence. However, this relationship

may not be as strong in a divorced and separated sample that is attending court services and in dispute over their arrangements for the children compared to a representative population sample, because of the polarization process which occurs during this type of litigation.

The Newmark, Harrell and Salem (1995) study findings showed a tendency for male and female respondents to perceive their partners as having greater decision making power. This would suggest that litigation may greatly distort the perceptions of both partners and confound the data analysis.

**3. *It is hypothesized that over 50% of our survey population of either sex will report high levels of verbal abuse and conflict and are likely to report their partners as having-decision making power over them.***

Some of the research conducted with populations of battered women in shelters has suggested a correlation between pregnancy and the first incident of physical violence or an escalation in physical and other forms of wife abuse (e.g., Walker, 1984). Gelles (1990) investigated this hypothesized correlation using the 1985 USA population survey data and concluded that the association reported in the literature between pregnancy and husband-to-wife violence is spurious and an artifact of the effect of age, with young women having high rates of pregnancy and also experience violence at a relatively high rate.

At the same time most of Walker's subjects have tended to come from extremely violent relationships and there is some evidence to suggest that this association between violence and pregnancy may be present in certain batterer profiles. Saunders' (1992) type 3 profile of the "emotionally volatile" aggressors with the highest levels of anger, depression and jealousy may conceivably demonstrate a tendency to be more abusive as their partner becomes emotionally focused on the unborn infant and less emotionally available to them. Unfortunately this hypothesized relationship between pregnancy and abuse was not investigated by Saunders nor any of the other typology researchers.

The evidence is clearly inconclusive, but Gelles' conclusion that the relationship between pregnancy and abuse is spurious may be premature. The present study asks women that have been physically abused to indicate at what stage in the relationship did the abuse start as an indicator of seriousness, as it is generally held that all other things being equal the earlier the onset of physical abuse the more serious the violence problem is likely to be. Although the present study does not explore the question of escalation in violence during pregnancy, the female respondent is asked when the first episode occurred and one of the responses is during the first pregnancy.

**4. *It is hypothesized that a history of the first episode of violence occurring during the first pregnancy may characterize Saunders' (1992) emotionally volatile type and that it will also be an indicator of a significant escalation in violence during the separation crisis.***

If this hypothesis is confirmed it is likely that both associations may be mediated by jealous behaviour and dependent and possessive thinking. Jealousy and extreme possessiveness in the behaviour of batterers has been consistently reported in a number of studies (e.g. Frieze and Browne, 1989 and Hotaling and Sugarman, 1986). This mediating variable may be measured by some of the items in the psychological abuse scale (dominance-isolation sub-scale items) in the questionnaires.

Shields, Resick and Hanneke (1990) suggest that studies of battered women have shown that between 32% and 59% of these women were also victims of marital rape, while their own study clearly demonstrated that the victims of marital rape and physical violence fared much worse than marital violence victims that had not been sexually abused by their partners. Frieze and Browne (1989) report that several studies have suggested a correlation between the presence of sexual abuse in the battering pattern and the severity of the physical violence and that marital sexual assault was relatively rare in relationships that were not physically violent. The literature on stranger rape supports a power and control theory of etiology and it is argued that sexual assault is not motivated by physiological drives.

The above evidence would suggest that power and possessive behaviour (ownership thinking) is central in marital rape as well.

5. *It is hypothesized that sexual abuse is likely to be associated with physical abuse and an escalation of violence during the separation crisis.*

This hypothesis can not be fully tested in the present study, however, the item “the other party would demand sex whether I wanted it or not”, from the psychological abuse scale, may be used to test the hypothesis.

6. *It is predicted that a significant number of respondents will report escalation in the range and frequency of abusive tactics employed by both partners during the separation crisis.*

At the same time there will be some that will experience a decrease or little change as a consequence of the separation when any abuse which may have been occurring was triggered by the interaction between the couple.

7. *It is also predicted that a number of respondents will report that physical abuse occurred for the first time during the separation crisis and associated dispute over custody or access, confirming that separation is a risk factor and trigger for violent behaviour.*

Many clinicians have commented on this escalation in abusive tactics during the separation crisis, but because very few studies have been based solely on separated or divorced couple samples this phenomenon has not been studied empirically.

The Counsellors’ questionnaire “Counselling Outcome Form” included questions about the counsellor’s perceptions in relation to the pattern of violence reported during counselling interviews.

- (8) *It is thus predicted that the counsellors would report that their clients had reported high levels of male initiated violence.*



## **RESEARCH INTO THE CHARACTERISTICS THAT DISCRIMINATE BETWEEN GROUPS OF ABUSERS AND NONABUSERS.**

The early work on measuring the incidence of spouse abuse, especially that of the Straus group of researchers highlighted the enormous magnitude of the problem at all socio-economic levels within the American society. The publication of this research in turn stimulated the interest of researchers with a more clinical orientation to investigate applied treatment issues. One line of inquiry was to question the behavioural focus of questionnaire research (c.f. Ptacek 1988), as well as the focus of the early treatment programs with their emphasis on cognitive and behavioural interventions such as anger management and cognitive restructuring strategies (c.f. Adams 1988). This critique, which was espoused by numerous feminist researchers, highlighted a need for greater balance by also exploring individual and social attitudes that support spouse abuse.

Saunders has been instrumental in the development and validation of an inventory to measure beliefs about wife abuse "The Inventory of Beliefs About Wife Beating" (Saunders et al. 1987). This 36 item Inventory has been used in a small number of research studies. For example Eisikovits et al. (1991) examined the combined ability of selected cognitive measures and the Inventory of Beliefs About Wife Beating (IBWB) to differentiate between violent and non-violent men and predict their physical violence. The analysis of this data indicated that attitudes (as measured by the IBWB) were central in being able to differentiate between violent and non-violent men and to partially predict men's use of violence. It was also clear from the data that scores on the IBWB was the strongest factor in distinguishing between violent and non-violent men in the study; while scores on the cognitive measures contributed in a minor way.

The IBWB scale would also, to some extent, measure attitudes towards women in a more generic sense and a reliable score has the potential to be a good predictor of conciliation counselling outcome. The inventory was, thus, considered for inclusion in the male survey instrument. A major drawback of the IBWB is that many of the questions are very confronting and the socially acceptable response is obvious in all items. Very significant differences were found by Saunders et al. (1987) between

women's advocates and abusers, but the abusers group was drawn from individuals that were in treatment programs. It is reasonable to assume that social desirability bias would be a major problem if the instrument is used in the context of the present study.

Other relevant attitudinal measures that could have been considered for inclusion such as "The Hostility Towards Women (HTW) Scale" (Check and Malamuth, 1983) would have similar bias problems. It was, thus, decided that a broad measure of the attitudes and roles of women would be included in the male version of the research instrument. The 15 item version of the "Attitude Towards Women Scale " (AWS) was selected for this purpose (Spence and Helmreich, 1978).

The AWS has been used in a wide range of research studies including Saunders' own batterer typology research (Saunders, 1992). The AWS measures the extent of agreement with statements about the rights and roles of women along a traditional to liberal (very pro-feminist) continuum and because of its design to measure along this continuum there is no single socially acceptable response.

The AWS was originally developed as a Likert-type 55 item scale containing statements about the rights and roles of women in such areas as vocational, educational, dating and sexual behaviour, and marital roles and relationships (Spence and Helmreich, 1972 a). A 25 item version was also developed (Spence, Helmreich and Stapp 1973), with reported correlations of in excess of 0.95 in relation to the full scale. Correlations between the 15 item version and the full scale have been reported to be 0.91 (Spence and Helmreich, 1978) and the shortest version was selected, because it can be completed in a few minutes. The scale has ample evidence of construct validity, which is demonstrated by its ability to differentiate between male and female and older and younger respondents in expected directions (Spence and Helmreich 1972a), as well as the scales ability to predict reactions to female competence (Spence and Helmreich 1972b).

Gelles and Conte (1990) in their review of the research on domestic violence and sexual abuse of children in the 1980's argue that research on family violence during this decade was very substantial and perhaps greater in volume than in any other substantive area in

the social sciences (p1045). It is evident that the research emphasis on spouse abuse during this decade shifted away from incidence studies and focused more on identifying the characteristics of batterers.

From about the mid 1980's onwards there has been a proliferation of diversion treatment programs for batterers in the United States (c.f. Ganley, 1989; and Waldo, 1987). Sonkin, Martin and Walker (1985) published one of the first books to outline a comprehensive diversion treatment program for men and the principal author published the first self-help handbook for domestic violence perpetrators (Sonkin & Durphy 1982). Thus, whereas the early research studies were primarily based on populations of victims and were more accurately victim profile studies. The 1980's saw a rapid growth in the number of studies, which were based on data from male subjects, especially in the United States. The emphasis, thus, shifted to batterer profile studies.

Geffner & Rosenbaum (1990) in their review article argue that research regarding the etiology of partner abuse has been predominantly epidemiological. *"Such research has, for example, examined characteristics of batterers and their victims/wives and sometimes compared them to control samples of non-aggressive spouses in order to identify differentiating factors"* (p132). This research has produced a significant number of differentiating factors or batterer characteristics.

Sonkin, Martin and Walker (1985) describe some 14 categories or clinical history areas that provide the information on which they seek to assess the lethality of a particular case. In a more recent review article Geffner and Rosenbaum (1990) refer, coincidentally, to some 14 factors or characteristics of batterers that have emerged from the etiological research into spouse abuse. Not surprisingly a significant number of both groups of factors relate to the history and pattern of the abusive behaviour, including the family of origin. The male and female questionnaires developed for our study include demographic and family history data gathering questions that are relevant to this body of research on characteristics of batterers and their victims.

Despite this large volume of research into the characteristics of batterers or violent relationships no consistent profile has emerged. As a consequence, the practical utility

of this emphasis on etiological research and the ongoing development of a body of data that provides characteristics that discriminate violent and non-violent couples has been questioned by a number of writers and researchers. Rosenbaum and Maiuro (1989) summarized these concerns when they wrote, "*there is general agreement that marital violence cuts across all ethnic, racial, religious, education, and socio-economic strata, yet we insist on seeking commonalities that explain all the variance. (P166)*". In a similar vain Eisikovits et al (1991) concluded that "*this study offers support for the view that woman battering is a complex phenomenon requiring an understanding of multiple interacting factors (p76)*".

### **TYPOLGY RESEARCH.**

In recent years there have been a few studies that have employed cluster analysis and clinical methods with a view to developing behavioural and personality typologies of batterers. One such study was conducted by Gondolf (1988), who developed a typology of batterers based on variables drawn from detailed intake interviews with battered women in Texas shelters. Among the variables used in his analysis were demographics and abuse variables such as physical abuse, verbal abuse, injury inflicted, child abuse and child discipline, sexual abuse, the frequency and duration of abuse, and other antisocial variables, such as arrest records and substance abuse. Gondolf labeled the resultant three cluster solution groups as sociopathic, antisocial, and typical. The sociopathic cluster included 7% of the men. They were the most severely violent and most likely to have been previously arrested. The antisocial group consisted of 41% of the men. They were also very abusive in their behaviour, but less likely to have been arrested. The remaining 52% of the sample comprised the "typical" group. This group were the least abusive in their behaviour and were more likely to be apologetic following battering incidents, consistent with Walker's (1979) description of the cycle of violence. This cluster was also unlikely to have been arrested.

Saunders (1992) produced a similar three-cluster solution based on a population of batterers who were being assessed for admission to a treatment program. The significant variables that discriminated between the groups in the Saunders study were

marital satisfaction, psychological abuse, marital conflict, impression management, childhood abuse, and arrests for drink driving.

One of the very first studies, if not the first, to utilize cluster analysis to determine patterns or typologies of battering relationships was conducted by Snyder and Fruchtman (1981). This cluster analysis was conducted on characteristic variables of a female shelter population with the purpose of attempting to more effectively tailor interventions to the particular type of problems experienced by different groups of shelter clients. Snyder and Fruchtman (1981) found five distinct clusters of battered women from their shelter data.

More recently Follingstad et al. (1991) sought to replicate this five-cluster solution using a much more varied sample of battered women, who volunteered to answer questions. Their subjects were 234 women drawn from a wide variety of community agency and medical referral sources. The Follingstad et al. five-cluster solution closely resembled the Snyder and Fruchtman's results, suggesting that certain factors that affect all battered women may be a more important predictor of treatment needs than the source and type of referral.

Tolman and Bennett (1990) in a review article suggest that the research consistently indicates heterogeneity of batterers but this finding has not as yet given way to "*meaningful typologies with specific practice and policy implications. However, the research results do emphasise the need to adapt current practice to meet the diversity*" (p111). Research focused on the development of meaningful typologies would seem to hold much greater promise than the ongoing development of data in relation to the characteristics that discriminate between violent and non-violent relationships. However, the latter obviously provides an essential foundation on which to develop relevant variables for use in cluster analysis.

To-date there has only been the one-typology study with subjects that were engaged in custody and access disputes (Johnston and Campbell 1993). The sample consisted of families, engaged in intractable disputes over custody and access referred to the authors for counselling and mediation. The authors used qualitative data based on the CTS to

classify the primary instigator of physical aggression in each family according to a number of profile groupings. Each profile was then completed by describing the typical pattern of the abusive behaviour and other clinical data that had been collated during separate clinical interviews with the partners. At least two clinicians were required to make consensual judgements about the assignment of each family to a profile category.

Figure 1 (p 33) draws together the findings of Gondolf (1988), Saunders (1992) and Johnston and Campbell (1993). By pooling the results of these three studies we have a broad cross section of batterers and abusive couples. The Gondolf study developed a behavioural typology based on the self reports of battered women in all of the 50 Texas shelters during an 18-month period from 1984 to 1985 (some 6,000 subjects). The Saunders (1992) study was based on assessment interviews conducted with some 182 men being assessed for admission to a batterer treatment program with 70% of these men referred by the Courts for mandatory treatment. In contrast the Johnston and Campbell (1993) study comprised a sample of 140 divorcing parents referred by family courts in the San Francisco Bay area for counselling and mediation, with ongoing and entrenched disputes over custody and visitation.

The Gondolf study includes data on batterers that are unlikely to present for any form of treatment and hence subjects from the extremely abusive end of the continuum would be included. Similarly the Saunders study by including a high percentage of mandatory batterers and a significant number that did not commence treatment would also include subjects with extreme levels of abusive behaviour and other dysfunction. At the same time some of the data from subjects in the Gondolf study was not included, because they had not been victims of abuse, and hence some subjects from the less abusive end of the continuum would have been included. The more extremely abusive litigating parents were not included in the Johnston and Campbell sample, because the courts would as a rule refer these cases for custody assessments and judicial decisions. However, this sample complements the other two studies by including cases where the abuse may have been female initiated, mutual, or triggered by the separation crisis.

Figure 1 outlines the salient characteristics of the spouse abuse types that have been identified in the three main studies outlined above. Those groups that are very similar have been combined to provide an overview of what would seem to be seven fairly discrete types.

**FIGURE 1      TYPOLOGY OF SPOUSE ABUSE**

A PERPETRATOR / VICTIM PARADIGM. (Types 1-5)

<p>1. Generally Violent ( Saunders 1992) or Sociopathic (Gondolf 1988)</p> <ul style="list-style-type: none"> <li>• Extremely abusive of wife and children.</li> <li>• Likely to be sexually abusive.</li> <li>• Most likely to be violent outside the home.</li> <li>• High risk of alcohol abuse and arrests for drink driving and other offences.</li> <li>• Likely to use weapons.</li> </ul>	<p>2. Antisocial Batterer (Gondolf) or Emotionally Volatile (Saunders)</p> <ul style="list-style-type: none"> <li>• High level of physical violence (lower than 1) but an especially high level of psychological abuse.</li> <li>• Least satisfied with relationships.</li> <li>• May be generally violent, but much less likely to have extensive criminal history than 1.</li> <li>• Less frequent alcohol abuse.</li> <li>• Highest level of anger, depression and jealousy.</li> </ul>
<p>3. Typical Batterer - Chronic (Gondolf) or Family Only (Saunders) or Ongoing Male Batterer (Johnston 1993)</p> <ul style="list-style-type: none"> <li>• Less severe physical and psychological abuse (but still at seriously high levels).</li> <li>• Conforms to prevailing clinical profiles of spouse abusers.</li> <li>• Less likely to use weapons.</li> <li>• Sexual abuse and child abuse less likely and/ or less extensive.</li> <li>• May be apologetic after an episode.</li> </ul>	<p>4. Typical Batterer- Sporadic (Gondolf) or Episodic Male Batterer ( Johnston).</p> <ul style="list-style-type: none"> <li>• Similar to type 3</li> <li>• Much less frequent episodes than type 3, but often more violent episodes of abuse.</li> <li>• Conflict avoidance pattern more likely.</li> </ul>
<p>5. Female Initiated Violence (Johnston)</p> <ul style="list-style-type: none"> <li>• Woman always initiates the attack.</li> <li>• Violence at sig. lower levels than male initiated categories.</li> <li>• High levels of property damage and throwing of objects at partner.</li> <li>• Repetitive pattern throughout marriage, which often escalates at time of separation.</li> <li>• Partner generally passive may physically restrain during the more serious attacks.</li> <li>• during post separation escalation male may retaliate resulting in an escalation to</li> <li>• Serious levels of violence.</li> <li>• Substance abuse may compound the problem in some cases.</li> <li>• Violence may also include suicide threats or attempts.</li> </ul>	<p>B. INTERACTIVE VIOLENCE PARADIGM (types 6 and 7)</p> <p>6. Male Controlling Interactive Violence (Johnston).</p> <ul style="list-style-type: none"> <li>• Violence arises out of conflict of interests.</li> <li>• Partners often come from very different backgrounds and have very different personalities etc.</li> <li>• Disagreements tend to escalate over time from mutual verbal abuse to physical struggles.</li> <li>• Male likely to have traditional values and an overriding response to assert control.</li> <li>• Male does not beat up partner, but tends to use sufficient physical force to assert control (rules govern use of physical violence).</li> </ul>
	<p>7. Separation and Post-divorce Violence (Johnston)</p> <ul style="list-style-type: none"> <li>• violence not characteristic of relationship</li> <li>• violence reaction to separation trauma and perpetrated by partner that felt abandoned</li> </ul>



**CHAPTER THREE**

**HYPOTHESES OR PREDICTIONS**

**RESEARCH DESIGN, PROCEDURES**

**AND**

**RESPONSE RATES**

## HYPOTHESES AND PREDICTIONS

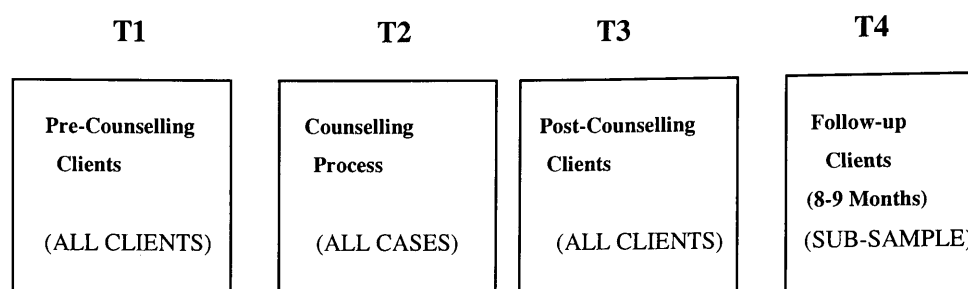
- 1(a). *It is predicted that a high incidence of both verbal/ psychological and physical abuse will be reported by both male and female respondents, which may be as high as 50% for minor physical violence and at much higher levels for psychological abuse.*
- 1(b) *It is predicted that female respondents will report a higher frequency of their own and their partners' abusive tactics than will their male partners.*
- 2(a) *It is predicted that male violence will be more prevalent than female violence.*
- 2(b) *It is also predicted that in the more serious cases of physical violence perpetrated against women, which may include beatings that require medical treatment, that the female partner would perpetrate little physical abuse because of her extreme fear of her partner's behaviour (Straus, 1990b).*
- 3 *It is hypothesized that over 50% of our survey population of either sex will report high levels of verbal abuse and conflict and are likely to report their partners as having decision making power over them.*
- 4 *It is hypothesized that a history of the first episode of violence occurring during the first pregnancy may characterize Saunders' (1992) emotionally volatile type and that it will also be an indicator of a significant escalation in violence during the separation crisis.*
- 5 *It is hypothesized that sexual abuse is likely to be associated with physical abuse and an escalation of violence during the separation crisis.*
- 6 *It is predicted that a significant number of respondents will report escalation in the range and frequency of abusive tactics employed by both partners during the separation crisis.*

- 7 *It is also predicted that a number of respondents will report that physical abuse occurred for the first time during the separation crisis and associated dispute over custody or access, confirming that separation is a risk factor and trigger for violent behaviour.*
- 8 *It is predicted that the counsellors would report that their clients had reported high levels of male initiated violence.*

## **STUDY DESIGN**

This study has a mixed research design that consists of two elements; a survey of a representative sample of Court counselling clients, counsellors' perception of counselling outcomes and whether or not spouse abusive behaviour was reported as a problem and a short term longitudinal follow-up about 8 to 9 months after the counselling intervention with a sub-sample of clients. The complete research design is encapsulated in the " Flow Chart of Research Design " below

**FIGURE 2**  
**Flow Chart of Research Design**



Type of data	Pre-Counselling Baseline data and Abuse Indicator	Service Delivery Process Data	Abusive Behaviour Incidence and Profile Data	Outcome and Follow- up Data
Data collection instruments	Client questionnaire (Demography, background, marital & separation history & indicator of abuse	Counsellor's assessment of the process & outcome	Client questionnaire (A) for abuse population Client questionnaire (B) for non-abuse	Telephone follow-up of clients (8-9 months)

Clients of the Counselling Service were asked to complete an initial short questionnaire at T1 when they attended for a counselling appointment and again several months later at T3 when a more extensive questionnaire was posted to their home address. Outcome questionnaires were collected from counsellors following the counselling intervention T2 and 8-9 months later T4 a small sub-sample of the clients, who had completed both questionnaires were interviewed by telephone.

### PILOT TESTING

The survey instruments and research procedures were pilot tested during February and March 1995 with new clients attending the Wollongong Counselling Section. The data collection instruments were essentially asking the respondent to give demographic

details and to recall and report on features of their relationships with their former spouse (e.g. the kinds of violent behaviour exhibited by their former spouse, and the frequency of this behaviour). The pilot was confined to examining the practicality of administration procedures and testing the perceptions of the questionnaire (i.e. Was it easy to read? Were any questions difficult to understand? Were any questions hard to answer?), that is it was confined to testing face validity. Questions had already been used in similar studies in other countries. An important function of pilot testing was to examine face validity of these questions in an Australian context. Tests of criterion validity were not possible (there is no “gold standard” in this area), nor were tests of construct validity undertaken (there are no alternative instruments to measure the same construct).

A sample of 33 clients completed the demographic questionnaire of which 17 returned the research instruments. The female version of the instrument was also given to women’s groups and some feedback received. Pilot testing culminated in some minor changes to the questionnaires and administration procedures.

### **REPRESENTATIVE SAMPLE OF CLIENTS (AT TIME T1)**

A representative sample of Family Court counselling client couples, throughout what was then the Eastern Region of the Court (i.e. the Sydney, Parramatta, Newcastle, Canberra, Wollongong, Albury, Dubbo Registries and the counselling outposts and circuits visited by the staff from these Registries) were asked to complete a demographic survey instrument during the survey period of the calendar month of July, 1995. Non-couple clients were excluded from participation in the survey (i.e. situations in which grandparents or other relatives were disputing residency or contact with the mother / father). Couples were, however, defined in a broad sense and would include all natural parents attending for counselling appointments to discuss childrens issues (i.e. parents that have not lived together or only had brief de facto relationships were included in the sample).

The objective at T1 was to obtain some basic data from a sample of clients who were representative of the couples that attend the Court Counselling Service. All clients

who met the above criteria, which was almost all clients, were invited to participate in the study by completing the demographic questionnaire (Appendix 3). The letter of invitation (Appendix 2) informed participants about the study and that a research instrument would be posted to their home address at the end of the counselling intervention.

Court counselling statistics suggest that more than 50% of clients only attend counselling on the one occasion and that a very small percentage of clients attend on three or more occasions. It is also extremely unusual for a client couple or an individual to attend for counselling over a continuous period of more than three months.

To ensure that it would be extremely unlikely that clients would be asked to complete the research questionnaire with the much more intrusive questions, whilst still attending counselling, a two month gap was left in the schedule between the survey month and the commencement of the posting of the research questionnaires. This approach also allowed for an upper limit of three months between initial attendance and the planned posting of the research instrument.

The researcher subsequently visited the participating Registries in September, 1995 to match the available Counsellor Outcome questionnaires with the Demographic Questionnaires and establish name and address details for the participants. This process was completed in early October 1995 and during September and October 1995 the Research Questionnaires were posted to participants. The package participants received in the post comprised an explanatory letter (Appendix 1), the appropriate research instrument and a reply paid envelope. To improve the response rate reminder letters were sent to participants, when the questionnaires were not returned within about 5 to 7 weeks of posting.

## **SAMPLE SIZE**

Based on court counselling statistics it was estimated that the number of confidential counselling interventions commenced in the Eastern Regions counselling units over a

1-month period would be in the order of 680 to 780 cases. Thus, allowing for a number of cases in which only one client attended or a single interview had been arranged at the request of the client it was anticipated that a sample size of at least 1000 clients might be expected.

It can be seen from Table 3.1 hereunder that a total of 555 demographic questionnaires were completed, about half of the predicted minimum sample size. This smaller than expected sample size would appear to be the result of two main factors. The primary reason for the lower than expected sample size was that the clerical staff, as a consequence of work pressures, forgot to or were not able to hand out questionnaires to a significant

**Number of Subjects in Data Source Groupings**

**TABLE 3.1**

1. Demographics only	2. Demographics & Counselling Outcome	3. Demographics & Research Questionnaire	4 Demographics Research Q & Counselling Outcome	5. Demographics Research Q Telephone follow-up	6. Demographics Research Q Counselling Outcome & Telephone follow-up	7. Counselling Outcome only	8. Total
82	237	54	142	6	34	127	682

number of clients during the survey calendar month. There was also evidence that some questionnaires, possibly about 30-50 questionnaires, were collected but subsequently lost.

Of the clients who were given questionnaires there would seem to have been a very small number who declined to participate or returned a blank form. Consequently the response rate by clients that were actually invited to participate was very high (estimated to be at least 85%).

## RESEARCH PROCEDURES

### DEMOGRAPHIC SURVEY INSTRUMENT ADMINISTRATION

Counselling clients were given the invitation letter to participate in the study and were asked to complete the demographic survey instrument by the clerical staff on their arrival for the counselling appointment, prior to seeing the counsellor. The clients were asked to complete the form in the waiting area and place the completed questionnaire in a box before they saw the counsellor. Pilot testing indicated that clients only took a couple of minutes to complete the questionnaire.

The main objective of this short initial questionnaire had been to ensure that some basic data was collected from most clients, who attended for counselling during the survey month and to be able to test whether or not the research instrument responders seemed to be representative of the population of clients attending for counselling.

### CLIENT QUESTIONNAIRE (Appendix 3)

The demographic instrument was the same for all clients. The two-page instrument was divided into two parts: -

- **Part A General Information section**, consisting of questions about the individual's age; sex; place of birth; residential postcode; educational level; employment status; occupation; income; current relationship status; previous relationships; and number of children and their place of residence.
- **Part B Counselling Issues section**, consisting of questions about the respondent's main reasons for attending court counselling and previous counselling. This section also contained two final questions requiring a yes/no response in relation to physical and emotional abuse in the relationship.



## RESEARCH QUESTIONNAIRE ADMINISTRATION

The research questionnaire was developed in four different formats: Form A with a version for female clients and another version for male clients (Appendix 4 and 5 respectively) and Form B with a version for female clients and another version for male clients (Appendix 6 and 7 respectively). The questionnaires were designed with male and female versions for the purpose of obtaining maximum couple data. This was achieved by having a core group of identical questions to enable comparisons between male and female clients but also asking some different questions in the male and female versions to be able to pool the data from the couple to derive couple variables. It was estimated that the questionnaires would take from 40 to 50 minutes to complete in the privacy of the subject's own home.

Form A was posted to those client couples where at least one of the parties responded positively to at least one of the two screening questions in the questionnaire to indicate that abusive behaviour had occurred and or was currently a concern. Form B was sent to those couples where one or both partners had answered these questions with a negative response.

The research questionnaires were developed in three parts.

### **Part A Family and relationship history.**

In this section subjects were asked questions on whether or not they grew up in an intact family unit; the age at which they left home; the closeness of their relationship with their parents; people they are able to discuss problems with, and the number of siblings in their family of origin. Further questions included such topics as whether or not the respondent's parents or step-parents had drinking or drug problems followed by a short sequence of questions about whether or not their parents had angry arguments; the frequency of these arguments; and whether or not the arguments involved physical violence.

The final group of questions in this section consisted of, in male Form A version (Appendix 5), a modified version of the conflict tactics (child abuse) scale with the more extreme violence scale items deleted. The other three versions of the questionnaire did not include the conflict tactics (child abuse) scale. These versions had a single question to be answered yes or no in relation to whether or not the respondent had received harsh punishment or abuse from their father or mother. (For a discussion of the rationale for the differences in the questionnaires see Appendix 10.)

### **Part B Conflict data and history**

This part of the questionnaire was further divided into two sections: -

#### **➤ (i) Usual pattern in their relationship**

The initial group of 6 questions is a modified version of the Decision Power Index developed by Blood and Wolfe (1960). The version used here is similar to the scale used in the first national study of violence in the United States (Straus, Gelles and Steinmetz, 1980: see also Coleman and Straus, 1990). The index is used to measure the extent to which the husband or wife has the final say in major areas of marital decision making.

The following group of 5 questions comprises the Marital Conflict Index, which was developed for use in the National Survey of American Families (Coleman and Straus 1990). The Index is constructed from responses to questions about how often the couple disagreed about 5 major marital/family issues with responses ranging from always agree (scored 1 for conflict) to always disagree (scored 5 for conflict). The scores were summed for the 5 questions and then divided by 5 to create the Index.

The next group of 30 items is a psychological abuse scale comprising the 18 items of the non-physical abuse sub-scale of the Index of Spouse Abuse (ISA). The 5 verbal abuse scale items from the CTS are also included. The remaining 7 items were selected on the basis of being the highest response items from the Psychological Maltreatment of Women (PMWI) that had not already been included in the scale. In

all 7 items were deleted from this scale and replaced with other high response items drawn from the full version PMWI.

The next group of questions comprised a modified version of the conflict tactics scale with the subject asked to respond with respect to their own and the other party's use of the tactics. In the female version of Form A an additional item was included in the violence scale, derived from the ISA scale, to inquire about the need for medical treatment ("i.e. beat up so badly that medical treatment had to be sought") following the standard item "Beat up the other party i.e. punched or kicked on a number of occasions."

The questions in the male version were further modified by deleting the two most violent items on the physical violence scale (i.e. threaten with a knife or gun / use a knife or fire a gun). The female versions as well as the male Form B version were also modified to exclude the more serious violence items leaving the Female Form A version as the only questionnaire with the full version of the CTS scale items.

The administration of the CTS was modified in the female version of Form A to include a final question that measured the intentionality of the female partner's abusive behaviour (i.e. the percentage of the time they were acting in self-defense) consistent with the method employed by Saunders (1988), as discussed in the Literature Review. The final question in this section in the female version of Form A asks about the onset of physical abuse and the respondent is asked to indicate the stage in the relationship, which marked the onset of the physically abusive episodes.

➤ **(ii) Behaviour during the present conflict.**

This part of the questionnaire asks about the abusive behaviours that were performed for the first time by the other party, whether they happened more frequently, and which behaviours did not change. The items included in this section are predominantly taken from the CTS Violence Scale, with the addition of several very threatening behaviours derived from Saunders' modification of the scale (Saunders, 1992) - i.e. threats to take children, to commit suicide and frighten by driving recklessly or other dangerous behaviour.

In the Form A version for women the questions on the changes in abusive behaviour following separation are followed by a question on behaviour after physical abuse. In the version of Form A written for men the respondents were asked about their own angry feelings and behaviour.

All four versions of the questionnaire have a group of questions at the end of this section in relation to other abusive behaviour

In all except the Form A female version the above questions conclude this section of the questionnaire. The Female Form A version has a second group of questions and women are asked to respond yes or no to 'whether or not the other party had behaved in a physically violent way outside the home' and 'if they had any criminal convictions involving violent or abusive behaviour'.

### **Part C Attitudes to the roles of men and women (male version only)**

This section comprises the 15-item version of the "Attitude Toward Women Scale" (AWS) published in Spence and Helmreich (1978). Each item has four response choices, ranging from agree strongly to disagree strongly. The reasons for using this scale were discussed in detail in the Literature Review Chapter.

## **STAGE 2 FOLLOW-UP OUTCOME MEASURES**

A longitudinal follow-up measure and the one outcome measure were included in the research design (T2 and T4 of the Flow Chart). This longitudinal dimension of the study encompasses the following procedures and data collection.

### **COUNSELLING OUTCOME**

(1) The Counsellors in the participating Registries were asked to complete a brief Counselling Outcome Evaluation Form (Appendix 8) after completing counselling interventions with clients. On this form counselors noted agreements made as a

consequence of counselling, number of interviews (joint and separate), and whether or not violence was an issue raised in the counselling.

In most Registries the clerical staff attached the Counselling Outcome form to the files of survey clients for the counsellors to complete and also marked the file with a sticker to indicate that the clients had been given a survey form.

## **FOLLOW-UP CLIENT INTERVIEW**

Eight months after counseling all clients who had completed the research instrument (108 male and 128 female participants) were sent a further letter asking them to participate in a telephone follow-up in March/April 1996. Participants were asked to return a form with the most appropriate time for contact including weekends and week day evenings. Responses were received from 48 men and 47 women. This represents about a 50% response rate from those clients who could be contacted i.e. who had not changed their address over the previous 8 months.

In view of the greater emphasis on male violence than female violence in this study it was decided that a follow-up sample of 40 clients would be interviewed. Potential participants were randomly telephoned until interviews had been conducted with 15 men and 25 women.



## **CHAPTER FOUR**

### **RESULTS**

#### **THE CLIENT SURVEY AND COUNSELLOR OUTCOME QUESTIONNAIRES**

## PART 1 DEMOGRAPHIC AND SUBJECT PROFILE DATA

### GENDER DISTRIBUTION OF SUBJECTS

It can be seen from Table 4.1, below, that the male and female subjects were fairly equally represented in the study sample with male subjects comprising marginally just over half of the participants (50.9%). There was no difference between the sexes in type of response (i.e. completed demographic questionnaire only, or completed research questionnaire:  $\chi^2 = 3.61$ ,  $df = 1$ ,  $p = 0.057$ ).

RESEARCH SUBJECTS	MALE	FEMALE	TOTAL
ONLY COMPLETED DEMOGRAPHIC QUESTIONNAIRE	<b>53.9%</b> (n=172)	<b>46.1%</b> (n=147)	<b>100%</b> (n=319)
COMPLETED RESEARCH QUESTIONNAIRE	<b>45.8%</b> (n=108)	<b>54.2%</b> (n=128)	<b>100%</b> (n=236)
ALL SUBJECTS	<b>50.9%</b> (n=282)	<b>49.1%</b> (n=273)	<b>100%</b> (n=555)

**TABLE 4.1 Distribution of Responding Participants**

The survey research data were collected over a broad geographic area within NSW (i.e. Sydney, Parramatta, Newcastle, Canberra, Wollongong, Albury and Dubbo Registries of the Court). The usual place of residence of almost the entire survey sample is NSW is shown in Table 4.2.

NSW	QUEENSLAND	VICTORIA	OVERSEAS	NOT KNOWN	TOTAL
<b>527</b>	<b>2</b>	<b>3</b>	<b>1</b>	<b>22</b>	<b>555</b>

**TABLE 4.2 Usual Place of Residence of Responders**

The demographic data provided by clients in the survey instrument has been compared to the 1996 National Census data in relation to the divorcing population, with particular reference to the NSW Census population, with some small differences being found. An additional comparison was made between the present sample and the demographics



of the Court's voluntary mediation program clients (Evaluation of the Family Court Mediation Service, Research Report No 12). In relation to these other samples (Table 4.3) it would appear that the overseas born population is probably slightly under-represented in our client sample.

MALE SUBJECTS				FEMALE SUBJECTS		
Country of Birth	Research Sample	1994 Mediation study	1992 ABS Divorced	Present Sample	1994 Mediation Study	1992 ABS Divorced
Australia	<b>81%</b>	<b>71%</b>	<b>67%</b>	<b>77%</b>	<b>73%</b>	<b>70%</b>
Other English Speaking Countries	<b>9%</b>	<b>13%</b>	<b>16%</b>	<b>13%</b>	<b>13%</b>	<b>15%</b>
Non-English Speaking Countries	<b>10%</b>	<b>16%</b>	<b>17%</b>	<b>10%</b>	<b>14%</b>	<b>15%</b>

**TABLE 4.3 Country of Origin Comparisons to Other Research Data**

This difference may in part be a consequence of the Sydney population being under represented in the sample, with over half (52.8%) of the overseas born residents of Australia located in the two major cities of Sydney and Melbourne and respondents from the Newcastle area being over represented in the data. This under representation was more pronounced with the overseas born from other than English speaking countries (10%).

Sydney	Parramatta	Newcastle	Canberra	Wollongong	Albury	Dubbo	Total
<b>169</b>	<b>71</b>	<b>271</b>	<b>25</b>	<b>99</b>	<b>16</b>	<b>31</b>	<b>682</b>

**TABLE 4.5 Quantity of Data Collected in Each Court Registry**

## **OTHER DEMOGRAPHIC VARIABLES**

The 1994 sample of Court voluntary mediation clients is older than the present sample of conciliation counselling clients. This is consistent with the findings of Bordow and Gibson (1994) that clients who voluntarily seek mediation through the Court tend to be older and better educated than the litigation stream of clients (i.e. litigation clients must attend conciliation counselling). At the same time the age profile of our sample corresponds more closely with the whole divorce population as reflected in the ABS data. It is thus reasonable to assume that the age distribution of our sample is fairly representative of the population of clients undergoing divorce who use Court services to resolve disputes about parenting.

Comparisons between the mediation and ABS data indicated the better-educated individuals are over represented in the sample.

The demographic data clearly indicate that responders to the research questionnaires were more likely to be professionals (20% compared to 9%) or managers (11% compared to 6%) than Court clients, who completed the initial short demographic questionnaire but did not respond to the request to complete the research instrument. It would appear that a reasonable cross section of the various income groups has been included in our sample, but the group reporting an income under \$ 18,000 p.a. appears to be over represented and the higher income groups (reporting an income over \$ 51,000) are under represented.

Socioeconomic status variables, in particular income and age, have been shown to be correlated with physical violence in a number of studies (Straus, Gelles & Steinmetz, 1980, Straus and Gelles, 1990a). The presence of variables such as low educational level and income or long term unemployment have been shown to significantly increase the chances that a person will perpetrate or be a victim of domestic violence (Gelles, 1993, Hotaling & Sugarman, 1986).

## THE RELATIONSHIP STATUS AND HISTORY OF SURVEY CLIENTS

Table 4.6 indicates that only 67 % of the survey participants were married. Other research (Bordow & Gibson, 1994) suggests that a truly representative sample of court counselling clients would have less than 20% of respondents from de facto relationships, and thus this population is over-represented in the survey sample. Subjects in de facto relationships who took part were less likely than married subjects to complete the research questionnaire ( $\chi^2 = 10.04$ ,  $df = 1$ ,  $p = 0.0015$ ).

Research Subjects	MARRIED	DE-FACTO	NOT KNOWN	TOTALS
Only Completed Demographic Questionnaire	<b>62%</b> (n=198)	<b>37%</b> (n=118)	<b>1%</b> (n=3)	<b>100%</b> (n=319)
Completed Research Questionnaire	<b>74%</b> (n=175)	<b>24%</b> (n=57)	<b>2%</b> (n=4)	<b>100%</b> (n=236)
ALL SUBJECTS	<b>67%</b> (n=373)	<b>32%</b> (n=175)	<b>1%</b> (n=7)	<b>100%</b> (n=555)

**TABLE 4.6 Marital Status**

Most studies with Family Court clients have shown that a significant minority, if not the majority of clients were separating after relationships of less than 10 years duration (Family Court, 1992). The more notable finding from the data in Table 4.7 is that there

Research Subjects	1-4 yrs	5-9 yrs	10-14 yrs	15-19 yrs	20-24 yrs	25 yrs and over	Not known	Total
Completed Research Questionnaire	<b>32%</b> (n=75)	<b>24%</b> (n=56)	<b>26%</b> (n=63)	<b>10%</b> (n=24)	<b>4%</b> (n=10)	<b>2%</b> (n=4)	<b>2%</b> (n=4)	<b>100%</b> (n=236)
Only Completed Demographic Questionnaire	<b>48%</b> (n=153)	<b>22%</b> (n=71)	<b>18%</b> (n=56)	<b>9%</b> (n=27)	<b>1%</b> (n=4)	<b>1%</b> (n=4)	<b>1%</b> (n=4)	<b>100%</b> (n=319)
ALL SUBJECTS	<b>41%</b> (n=228)	<b>23%</b> (n=127)	<b>22%</b> (n=119)	<b>9%</b> (n=51)	<b>3%</b> (n=14)	<b>1%</b> (n=8)	<b>1%</b> (n=8)	<b>100%</b> (n=555)

**TABLE 4.7 Length of Relationship/ Marriage**

is a difference between the two research groups of subjects with the group that responded to the research questionnaire having longer term relationships than those that did not complete the second questionnaire (after aggregating all clients with a relationship of 20 years or more,  $\chi^2 = 18.5$ ,  $df = 4$ ,  $p = 0.001$ )

It can be seen from Table 4.8 that the sample population may be divided into three fairly equal groups with about one third of the subjects having separated recently (up to 9 months before the survey), a further third having separated between 10 months and two years prior to the survey and a further third having separated for more than 2 years.

It would be expected that the recently separated subjects are more likely to be concerned about domestic violence. Recall is also going to be a problem for the 34 percent of subjects separated for more than two years.

Research Subjects	Recent 1-9 Months	Medium Term 10-24 Months	Long Term Over 24 Months	Not Known	Total
Completed Research Questionnaire	<b>29%</b> (n=68)	<b>32%</b> (n=77)	<b>36%</b> (n=87)	<b>3%</b> (n=7)	<b>100%</b> (n=239)
Only Completed Demographic Questionnaire	<b>37%</b> (n=116)	<b>29%</b> (n=93)	<b>33%</b> (n=103)	<b>1%</b> (n=4)	<b>100%</b> (n=316)
ALL SUBJECTS	<b>33%</b> (n=184)	<b>31%</b> (n=170)	<b>34%</b> (n=190)	<b>2%</b> (n=11)	<b>100%</b> (n=555)

**TABLE 4.8 Length of Time since Separation**

#### **WHAT CLIENTS INDICATED THEY WANTED TO ACHIEVE BY ATTENDANCE AT COURT COUNSELLING.**

Table 4.9 shows the response subjects made in the demographic questionnaire to the question “What did you want to achieve by your attendance at counselling?” The most frequently cited reasons were to do with access to children, custody of children or

parenting issues. The response from 35 % of all the subjects was “to stop angry arguments, harassment or violence”.

The gender variations in responses are not large and there is a lot of similarity in the issues that men and women are concerned about or wanting to resolve when they attend counselling. About as many men as women wanted to stop angry arguments, harassment or violence by their attendance at counselling (37% and 33% respectively;  $\chi^2 = 2.00$ ,  $df=1$ ,  $p = 0.16$ , not a significant difference). This result was not anticipated because most research on partner abusive behaviour has identified concern about anger and violence as predominantly an issue for women.

<b>Issue</b>	<b>Male Subjects % of Yes Responses</b>	<b>Female Subjects % of Yes Responses</b>	<b>Rank Male</b>	<b>Rank Female</b>
To Gain Access or Work out Access Arrangements for Children	(n=166) <b>57%</b>	(n=176) <b>67%</b>	<b>1</b>	<b>1</b>
To Make Decision About Legal Custody of the Children	(n=100) <b>35%</b>	(n=127) <b>48%</b>	<b>4</b>	<b>2</b>
To Improve Communication and work on Parenting Issues	(n=109) <b>38%</b>	(n=90) <b>34%</b>	<b>2</b>	<b>3</b>
To Stop Angry Arguments and Harassment or Violence	(n=106) <b>37%</b>	(n=87) <b>33%</b>	<b>3</b>	<b>4</b>
Make Decision About Separation	(n=38) <b>13%</b>	(n=24) <b>9%</b>	<b>5</b>	<b>5</b>
To Attempt a Reconciliation	(n=23) <b>8%</b>	(n=20) <b>8%</b>	<b>6</b>	<b>6</b>

**TABLE 4.9 What Is It That You Wish To Achieve By Attending Counselling?**

## COUNSELLING OUTCOME - AGREEMENTS MADE

Table 4.10 contains details of the issues discussed in counselling and the corresponding agreement rates achieved as a consequence of the counselling intervention. Although there is a good deal of variation in the agreement rates across the children's issues discussed during the counselling interviews this variation is mainly in relation to whether or not there was full or partial agreement between the parents.

Issue	Full Agreement	Partial Agreement	No Agreement	Totals
<b>Guardianship</b>	<b>63 %</b> (n=52)	<b>14 %</b> (n=12)	<b>23 %</b> (n=19)	<b>100 %</b> (n=83)
<b>Custody</b>	<b>49 %</b> (n=117)	<b>17 %</b> (n=41)	<b>34 %</b> (n=81)	<b>100 %</b> (n=239)
<b>Access arrangements/ issues</b>	<b>33 %</b> (n=153)	<b>39 %</b> (n=182)	<b>28 %</b> (n=129)	<b>100 %</b> (n=464)
<b>Sole Occupancy of Home</b>	<b>25 %</b> (n=2)	<b>50 %</b> (n=4)	<b>25 %</b> (n=2)	<b>100 %</b> (n=8)
<b>Child Support</b>	<b>27 %</b> (n=10)	<b>46 %</b> (n=17)	<b>27 %</b> (n=10)	<b>100 %</b> (n=37)
<b>Child Behavioural problems</b>	<b>16 %</b> (n=14)	<b>44 %</b> (n=39)	<b>40 %</b> (n=35)	<b>100 %</b> (n=88)
<b>Other</b>	<b>20 %</b> (n=32)	<b>49 %</b> (n=79)	<b>31 %</b> (n=50)	<b>100 %</b> (n=161)
<b>Total All Issues</b>	<b>35 %</b> (n=380)	<b>35 %</b> (n=374)	<b>30 %</b> (n=326)	<b>100 %</b> (n=1080)

**TABLE 4.10 Issues Discussed In Counselling And The Outcome**

The outcome data show that agreements are commonly made as a consequence of counselling. In relation to guardianship custody and access decisions (now known as residency and contact decisions) about 70% of counselling interventions resulted in at least short term decisions being made and the remaining 30% did not resolve any issues. The Family Court's research on counselling agreement rates (Family Court 1992) indicates that 74% of voluntary clients resolved at least the one substantial issue

and 73% reached agreement as a result of early intervention immediately after they had filed applications. These agreement rates dropped to 59% where counselling occurred after the matter had progressed further along the litigation pathway.

The present sample is a mixture of all three groups of court counselling clients, with 38% of the counselling interviews with clients entrenched in the litigation process (Table 4.11). Our client sample also had a significant proportion of clients who had separated more than 2 years before the counselling (Table 4.8) and a high proportion of cases, 41%, (Table 4.6), where the parties had previously attended court counselling, and are likely to have experienced long standing or possibly intractable conflicts. All these factors would indicate that a sizeable percentage of the sample subjects had become entrenched in the litigation process. Consequently the agreement outcome rates from counselling are possibly even a little better than would have been expected given the demographic profile of the sample.

	<b>Voluntary</b>	<b>Early in litigation process</b>	<b>Later litigation process</b>	<b>in</b>	<b>Total interviews</b>
<b>Number</b>	333	106	270		709**
<b>% of Total Interviews</b>	<b>47%</b>	<b>15%</b>	<b>38%</b>		<b>100%</b>

**TABLE 4.11 Number and Type of Counselling Interviews**

**\*\* A number of cases had more than the one interview**

## **APPREHENDED VIOLENCE ORDERS**

In the two page demographic questionnaire clients were asked, as an indicator question, about the situation in relation to the other party and any apprehended violence restraining orders (AVO's). They were asked- "Have you ever taken out a Restraining - Apprehended Violence Order against the other person?" The three response options are contained in the table below.

	Male	female	All Subjects
1. Yes in the past	<b>9</b> (3%)	<b>58</b> (21%)	<b>67</b> (12%)
2. Yes still current	<b>11</b> (4%)	<b>55</b> (20%)	<b>66</b> (12%)
3. No	<b>255</b> (93%)	<b>160</b> (59%)	<b>415</b> (76%)
Totals	<b>275</b> (100%)	<b>273</b> (100%)	<b>548</b> (100%)

**TABLE 4.12 Past Or Present Apprehended Violence Orders**

If the presence of an AVO is considered to be an indicator of serious violence, the above data would suggest that it might be anticipated that around 41% of the female counselling clients and 7% of male clients have experienced serious abuse perpetrated by their ex-partner culminating in the use of AVO's for protection.

## **PART 2 PHYSICAL SPOUSE ABUSE REPORTED IN CLIENT QUESTIONNAIRES**

The responses to the two general questions about abusive behaviour in the client questionnaire are outlined in Tables 4.13, 4.14 and 4.15. The reference in these questions to physical and/or emotional abuse was used to seek responses based on a broad definition of partner abuse that was not limited to just physical abuse.

It was expected that a majority of clients were likely to respond in the affirmative to the question "Has your argument or dispute with the other party ever escalated to the point that one or both of you have been subjected to physical and/or emotional abuse perpetrated by the other person?"

It can be seen from Table 4.13, 70% of subjects answered this question in the affirmative and there was also a significant gender difference with 80% of woman responding in the affirmative and only 61% of affirmative responses by males to the



Physical and /or emotional abuse a problem in the relationship			Physical and/ or emotional abuse a significant issue in your life at the present time		
Yes	No	total	Yes	No	Total
389	163	552	296	254	550
<b>70%</b>	<b>30%</b>	<b>100%</b>	<b>54%</b>	<b>46%</b>	<b>100%</b>

**TABLE 4.13 Physical and /or Emotional Abuse (All Subjects)**

same question (Table 4.14). This was a highly significant sex difference ( $\chi^2 = 26.30$ ,  $df = 1$ ,  $p = 0.0000003$ ). The 80% response by female participants was at the upper end of what was expected. This response rate was identical with the incidence reported by women in an American study of a family court population, which also used a broad definition of spouse abuse (Newmark, Harrell and Salem, 1995). This response rate suggests that the prevalence of spouse abuse is extremely high in Family Court populations.

Physical and /or emotional abuse a problem in the relationship			Physical and/ or emotional abuse a significant issue in your life at the present time		
Yes	No	total	Yes	No	Total
170	108	278	121	156	277
<b>61%</b>	<b>39%</b>	<b>100%</b>	<b>44%</b>	<b>56%</b>	<b>100%</b>

**TABLE 4.14 Physical and /or Emotional Abuse (Male Respondents)**

The affirmative responses to the second question –“Would you say that the experience of physical and/or emotional abuse (past or present) is a significant issue in your life at the moment?” - were lower with 54% of all subjects, 44% of males and 64% of female subjects responding in the affirmative. This is a highly significant sex difference ( $\chi^2 = 22.6$ ,  $df = 1$ ,  $p = 0.000002$ ). This same question was used in a study of domestic violence and client satisfaction with a sample of court counselling clients conducted at the Lismore Registry of the Court. The affirmative response rate of subjects in this client satisfaction study was significantly higher with 53% of males, 69% of females, and a combined response rate of 61% (Davies et al. 1995 and 1998).

The factor that is likely to account for most of the difference between these two studies is the variable the length of time since separation. In the Lismore client satisfaction study 49% of the subjects had been separated for less than 6 months and only 22% had been separated for over 2 years, compared to 33% under 10 month's separation and 34% over 2 years separated in the present study. Spouse abuse research indicates that victims of serious partner abuse are likely to recover from the experience after 2 years of separation (unless abuse or the fear of abuse has been a continuing problem).

Physical and /or emotional abuse a problem in the relationship			Physical and/ or emotional abuse a significant issue in your life at the present time		
Yes	No	total	Yes	No	Total
219	55	274	175	98	273
<b>80%</b>	<b>20%</b>	<b>100%</b>	<b>64%</b>	<b>36%</b>	<b>100%</b>

**TABLE 4.15 Physical and /or Emotional Abuse (Female Respondents)**

## **THE INCIDENCE OF PHYSICAL AND OTHER ABUSIVE BEHAVIOUR REPORTED BY RESPONDENTS TO THE RESEARCH QUESTIONNAIRES**

Tables 4.16 to 4.18 show the results of the responses to the violence scale in the CTS. It will be seen that the partner reported incidence of each category of behaviour is much higher than the self reported behaviour. The anticipated high incidence rate of minor physical violence is reflected in the partner reports of behaviour. The partner reports of minor and serious violence are actually significantly higher for women than men, which was not anticipated. Our working hypothesis, based on the overseas population incidence research, was that similar incidence rates were likely to be reported for men and women.

It appears that a number of the men surveyed did not admit to committing serious and very serious violence, when their partners allege that they did. Similarly it would seem that women in the survey did not admit to minor and serious violence when their partners allege that they did commit these violent tactics.

This pattern is not replicated when we look at the very serious violence items. Although the two most serious items of threaten with a knife or gun or use a knife or gun were left out of the male questionnaire, it would still seem that males have self reported very low levels of very serious violence. While women have self reported higher levels of very serious violence it can be seen from Tables 4.21 and 4.24 that women self-reporting and ex-partner reporting of female very serious violent behaviour have produced almost identical rates.

	MALE VIOLENCE			FEMALE VIOLENCE	
	Partner Report	Self Report		Partner Report	Self Report
No of responses	78 (Ss 128)	62 (Ss 108)	No of responses	82 (Ss 108)	51 (Ss 128)
Percentage	<b>61% *</b>	<b>57% *</b>	Percentage	<b>76% **</b>	<b>40% **</b>

**TABLE 4.16 Minor Physical Violence (throw an object at, push, grab, shove, slap)**

(\* $\chi^2 = 0.30$ , df = 1, p = 0.58 not significant)

(\*\*( $\chi^2 = 31.0$ , df = 1, p = < 0.0000001 highly significant difference)

	MALE VIOLENCE			FEMALE VIOLENCE	
	Partner Report	Self Report		Partner Report	Self Report
No of responses	67 (Ss 128)	30 (Ss 108)	No of responses	68 (Ss 108)	22 (Ss 128)
Percentage	<b>52% *</b>	<b>28% *</b>	Percentage	<b>63% **</b>	<b>17% **</b>

**TABLE 4.17 Serious Physical Violence (kick, hit/ punch, dangerous behaviour and beat-up)**

(\*  $\chi^2 = 14.6$ , df = 1, p == 0.0001 highly significant difference)

(\*\*  $\chi^2 = 52.0$ , df = 1, p< 0.0000001 highly significant difference)

	MALE VIOLENCE			FEMALE VIOLENCE	
	Partner Report	Self Report		Partner Report	Self Report
No of responses	49 (Ss 128)	5 (Ss 108)	No of responses	5 (Ss 108)	12 (Ss 128)
Percentage	<b>38% *</b>	<b>5% *</b>	Percentage	<b>5% **</b>	<b>9% **</b>

**TABLE 4.18 Very Serious Physical Violence (beating requiring medical treatment, choke, threaten with or use knife or gun)**

(\*  $\chi^2 = 37.6$ , df = 1, p< 0.0000001 highly significant difference)

(\*\*  $\chi^2 = 1.92$ , df = 1, p = 0.16 not significant)

The response rates to all the violence items in the CTS are set out in Tables 4.19 to 4.24. From the self reported violence in Tables 4.22 to 4.24 a couple of patterns in the results may be observed. There is a gender difference in some responses with women reporting a higher rate of reckless or dangerous behaviour in their ex-partner than men (Table 4.23) and men reporting a higher rate of very minor physical abuse (i.e. threw objects) in their ex-partner than women.

The most disturbing result is the especially high incidence of male very serious violence reported by the ex-partner with three of the four items in this scale having a positive response rate of 20% or higher. The pattern of results in relation to the item - “injured so badly that medical treatment had to be sought” –is especially worth noting. For this item we have both male and female responses and it will be seen that women self report about the same incidence of this behaviour as males report in relation to the behaviour of their ex-partners (3% compared to 4%). Men however only self-report a 4% incidence of this behaviour compared to a reporting rate of 27% by women in relation to their ex-partner’s behaviour.

BEHAVIOUR	MALE VIOLENCE		FEMALE VIOLENCE	
Threw, or smashed or hit or kicked something	72	<b>56%</b>	77	<b>71%</b>
Threw something at the other party	58	<b>45%</b>	52	<b>48%</b>
Pushed, grabbed, or shoved the other party	73	<b>57%</b>	72	<b>67%</b>
Slapped the other party	53	<b>41%</b>	63	<b>58%</b>
Total positive response in category	78	<b>61%</b>	82	<b>76%</b>

**TABLE 4.19 Reported Minor Violence by Ex-Partner**

( $\chi^2 = 6.03$ ,  $df = 1$ ,  $p = 0.014$ )

Difference between male and female minor violence reported by ex-partner significant

BEHAVIOUR	MALE VIOLENCE		FEMALE VIOLENCE	
Kicked, bit, or hit with a fist	48	38%	46	43%
Hit or tried to hit with something	47	37%	42	39%
Frightened the other party by driving recklessly or other dangerous behaviour	36	28%	40	37%
Beat up the other party (punched or kicked the other party on a number of occasions)	30	23%	28	26%
Percentage positive response in category		52%		63%

**TABLE 4.20 Reported Serious Violence by Ex-Partner**

Violent	67	68
Non violent	61	40

( $\chi^2 = 2.7$ ,  $df = 1$ ,  $p=0.10$ ; male and female difference not significant)

BEHAVIOUR	MALE VIOLENCE		FEMALE VIOLENCE	
Injured so badly that medical treatment had to be sought	27	21%	4	4%
Choked the other party	29	23%	2	2%
Threaten with a knife or gun	25	20%	N/A	N/A
Used a knife or fired a gun	4	3%	N/A	N/A
Percentage positive response in category	table 4.26	38%	table 4.26	5%

**TABLE 4.21 Reported Very Serious Violence by Ex-Partner**

Violent	49	5
Non violent	79	103

( $\chi^2 = 37.6$ ,  $df = 1$ ,  $p = < 0.0000001$ : highly significant difference)

BEHAVIOUR	MALE VIOLENCE		FEMALE VIOLENCE	
Threw, or smashed or hit or kicked something	56	52%	47	37%
Threw something at the other party	23	21%	26	20%
Pushed, grabbed, or shoved the other party	44	41%	41	32%
Slapped the other party	33	31%	24	19%
Percentage positive response in category	table 4.24	57%	table 4.24	40%

**TABLE 4.22 Self Reported Minor Violence**

Violent	62	51
Non-violent	46	77

( $\chi^2 = 7.24$ ,  $df = 1$ ,  $p = 0.007$ : significant difference)

BEHAVIOUR	MALE VIOLENCE		FEMALE VIOLENCE	
Kicked, bit, or hit with a fist	16	15%	14	11%
Hit or tried to hit with something	19	18%	10	8%
Frightened the other party by driving recklessly or other dangerous behaviour	13	12%	22	17%
Beat up the other party (punched or kicked the other party on a number of occasions)	5	5%	3	2%
Percentage positive response in category	table 4.25	28%	table 4.25	17%

**TABLE 4.23 Self-Reported Serious Violence**

Serious violence	30	22
Non-violent	78	106

( $\chi^2 = 3.82$ ,  $df = 1$ ,  $p = 0.051$ ) difference between the sexes just short of statistical significance

BEHAVIOUR	MALE VIOLENCE		FEMALE VIOLENCE	
Injured so badly that medical treatment had to be sought	4	4%	4	3%
Choked the other party	2	2%	1	1%
Threaten with a knife or gun	N/A		8	6%
Used a knife or fired a gun	N/A		0	
Percentage positive response in category	table 4.26	5%	table 4.26	9%

**TABLE 4.24 Self Reported Very Serious Violence**

Very serious violence	5	12
No serious violence	103	116

( $\chi^2 = 1.97$ , df =1, p = 0.16; not significant difference)

### **FEMALE SELF REPORTED VIOLENCE AND SELF-DEFENCE**

The following Table provides a break down of the responses of women whom self-reported that they had behaved violently to the question - "If behaviours listed occurred what percentage of the time were you acting in self-defence?"

SELF-DEFENCE	NO OF RESPONSES	PERCENTAGE	ACCUMULATED %
10% OF THE TIME	32	36%	100%
20% OF THE TIME	8	9%	64%
30% OF THE TIME	14	16%	55%
40% OF THE TIME	0		39%
50% OF THE TIME	11	12%	39%
60% OF THE TIME	2	2%	27%
70% OF THE TIME	3	3%	25%
80 % OF THE TIME	8	9%	22%
90% OF THE TIME	4	5%	13%
100% OF THE TIME	7	8%	8%
TOTAL	89	100%	

**TABLE 4.25 Self-Defensive Behaviour**

A significant minority of women (27%) perceived that their violent behaviour was primarily motivated by a need to defend themselves (60% or more of the time) and an



occasional motivating factor for the majority of women (55% of women for 30% of the time or less). This is lower than anticipated, but certainly indicates that the self-defensive behaviour of women is common.

## **THE PATTERNS AND PROFILE OF MALE ABUSIVE BEHAVIOUR**

The following sequence of four tables contain data that provide some insight into the patterns of violent behaviour and the nature of the violent relationships which are being reported by the responders to the questionnaires. The general questions about whether or not partner abusive behaviour was a concern for clients and the CTS questions in the research questionnaire provide information about the nature of the violent behaviour and the prevalence of the behaviour. We, however, need to know much more about the overall pattern before a profile of the “violence problem” may be formed. The length of time or the stage in the partners’ relationship at which the onset of the violent and or abusive behaviour occurred has been identified in the literature (Dobash & Dobash, 1984, Walker 1989.) as an important indicator of the seriousness of the problem.

Responses to the question - “If there have been one or more physically abusive episodes during the course of your relationship with your partner - When did the physical abuse start? - are contained in Table 4.26 below. Two responses in Table 4.26 were higher than the others with 21% of the respondents indicating that the violence occurred for the first time during the pregnancy and 21% indicating that it occurred for the first time several years into the marriage or de facto relationship.

The hypothesis that pregnancy and the birth of the first child is likely to be a stage in the family life cycle that will trigger partner abuse is confirmed by this data. It can be seen that in addition to 21% of responders identifying the onset of abuse occurring during the first pregnancy a further 12% of responders indicated that it occurred for the first time within the 12 month period following the birth of the first child. Consequently the onset of violence reportedly occurred in the period of time from pregnancy and the 12-month period of time after the birth of the first child in 33% of cases.

The majority of responders identified a point of time early in the course of their relationship as the time of the onset of physical abuse, with 63% indicating that the physical abuse commenced before the end of the first 12 month period following the birth of the first child. This would seem to suggest that in the majority of cases in which serious psychological and or physical abuse was identified there was a long-standing pattern of serious abusive behaviour.

RELATIONSHIP STAGE AT TIME OF ONSET OF THE PHYSICAL VIOLENCE	NUMBER OF RESPONDENTS	PERCENTAGE OF RESPONDENTS	PERCENTAGE OF IDENTIFIED PHYSICALLY VIOLENT GROUP	CUMULATIVE PERCENTAGE OF PHYSICALLY VIOLENT POPULATION
Prior to our marriage or prior to the time we started living together.	8	8%	11%	11%
Within the first few weeks of our marriage or the decision to live together up to 6 months after this time.	14	13%	19%	30%
During the period of time that I was pregnant with our first child	16	15%	21%	51%
In the 12 month period after the birth of our first child.	9	8%	12%	63%
Several years into our marriage or de facto relationship.	17	16%	21%	84%
Close to the time of our separation (No more than about 6 months before the separation.)	10	9%	13%	97%
Since the separation	2	2%	3%	100%
Not Applicable - No physical Abuse	31	29%		
<b>total</b>	<b>107</b>	<b>100%</b>		

**TABLE 4.26 Onset Of Male Domestic Violence In The Relationship**

The hypothesis that the crisis of separation itself would be a significant trigger for the onset of violent behaviour is not supported by the data. In only 3% of cases was it reported that the physical abuse commenced after the separation and in a further 13% of cases was it indicated that the physical abuse commenced just prior to the separation. Higher rates of abuse occurring as a result of separation and in the months just prior to separation would be expected if the hypothesis that separation is one of the main causes of physical violence were to be supported by the data. Similarly conflict over contact arrangements or property issues cannot be considered to be a major trigger for the violence on the basis of the data.

### **SELF REPORTED CONCERNS OF MALE RESPONDENTS TO RESEARCH QUESTIONNAIRE**

The male research questionnaires posted to participants asked the following question: -  
 “As a consequence of these angry fights with **your partner** are you concerned about your own angry feelings and behaviour?” As will be seen from the table below a minority of participants responded by indicating that they were concerned about their own behaviour, however, it was a significant minority. There were also a number of subjects that did not respond to this question (22.3%). Consequently as a percentage of the number of responders to the question the percentage of subjects indicating concern with their own feelings and behaviour increases from 29.6% to 38% with 62% indicating that they were not concerned.

Concerned about own behaviour	Not concerned about own behaviour	Total responses to question	Non responders	Total male responders to research question
32 <b>29.6%</b>	52 <b>48.1%</b>	84 <b>77.7%</b>	24 <b>22.3%</b>	108 <b>100%</b>

**TABLE 4.27 Concerns About Own Angry Feelings**

The respondents who indicated concerns in relation to their own angry feelings and behaviour were asked: - “If you are concerned about your angry feelings how long have you been worried about this problem?” It can be seen from the responses below that most respondents indicated that they had been concerned about their own angry feelings for many months or even years (i.e. 6 to 12 months 34.37% and several years 31.25%). These response patterns would certainly suggest that many male clients, if not most counselling clients, had experienced long-standing conflicts with their partner.

<b>length of time</b>	<b>number</b>	<b>percentage of respondents</b>	<b>cumulative percentage</b>
1 to 4 weeks	1	3%	3%
1 to 6 months	6	19%	22%
6 to 12 months	11	34%	56%
several year	10	31%	87%
more than 5 years	4	13%	100%
<b>totals</b>	32	100%	

**TABLE 4.28 How Long Worried About Angry Feelings**

## **MALE BEHAVIOUR ASSOCIATED WITH PHYSICAL ABUSE**

Those women who had identified physical abuse as a problem in their relationships with their ex-partners were asked the following question in relation to their ex-partners' behaviour after physical abuse: - “How did your partner behave in the period of time immediately after these episodes of physical abuse?” The behavioural patterns described in the response categories to the question were derived from the cycle of violence theory (Walker, 1979 and 1984) and other feminist literature (Dobash & Dobash, 1984, 1992).

The responses to this question are outlined in Table 4.29. Responses are fairly consistent with the patterns described in the feminist literature, with the most commonly identified behavioural pattern being - “Ignored the problem and acted as if nothing had happened” followed by a distant second of “Expressed regret and

apologized, but blamed you (partner) or outside pressures for his behaviour”. The other four behavioural patterns included as options in the question-received few responses.

	Never	Once or twice	Occasionally	Most occasions	Total
Expressed regret and apologised, but blamed you or outside pressures for his behaviour	31 <b>39%</b>	8 <b>10%</b>	11 <b>14%</b>	29 <b>37%</b>	79 <b>100%</b>
Expressed regret and apologised, and acknowledging some responsibility for his behaviour	57 <b>72%</b>	11 <b>14%</b>	10 <b>13%</b>	1 <b>1.0%</b>	79 <b>100%</b>
Expressed regret etc. and said he would go to counselling with you, but did not follow through	64 <b>81%</b>	10 <b>13%</b>	2 <b>2.6%</b>	3 <b>4%</b>	79 <b>100%</b>
Expressed regret etc. and attended some counselling sessions.	67 <b>85%</b>	7 <b>9%</b>	4 <b>5%</b>	1 <b>1%</b>	79 <b>100%</b>
Tried to make amends without apologising (i.e. tried to be loving, bought flowers, did jobs around the house etc)	44 <b>56%</b>	16 <b>20%</b>	13 <b>16%</b>	6 <b>8%</b>	79 <b>100%</b>
Ignored the problem and acted as if nothing had happened.	17 <b>21%</b>	10 <b>13%</b>	12 <b>15%</b>	40 <b>51%</b>	79 <b>100%</b>

**TABLE 4.29 MALE BEHAVIOUR ASSOCIATED WITH PHYSICAL ABUSE**

### **PART 3**

## **PHYSICAL AND OTHER SPOUSE ABUSE REPORTED TO THE COUNSELLOR DURING COUNSELLING INTERVIEWS**

### **VIOLENCE REPORTED DURING COUNSELLING**

The following table (table 4.30) provides a break-down of the counsellors' responses to the question; - “Did either client report details of episodes of domestic violence”. It can be seen from the table domestic violence was only reported in 32% of cases and in those cases in which complete data were available (counsellor outcome plus both client questionnaires) 33%.

Research subjects	Reported domestic violence	Did not report domestic violence	Totals
Declined Participation	<b>35%</b> (n=45)	<b>65%</b> (n=82)	<b>100%</b> (n=127)
Completed Research Questionnaire	<b>33%</b> (n=58)	<b>67%</b> (n=116)	<b>100%</b> (n=174)
Only Completed Demographic Questionnaire	<b>29%</b> (n=69)	<b>61%</b> (n=166)	<b>100%</b> (n=235)
ALL SUBJECTS	<b>32%</b> (n=172)	<b>68%</b> (n=364)	<b>100%</b> (n=536)

**TABLE 4.30 The Client Reports Domestic Violence During Counselling Interviews**

Counsellors were asked what (if any) pattern of violence their client had reported (results shown in Table 4.31) and their own assessment of the likely pattern of violence.

1. Long standing pattern of frequent abuse/violence	2. Long standing pattern of infrequent explosive episodes	3. Mutual pattern of abuse and violence	4. One or two isolated episodes	5. Violence triggered by the separation	6. No pattern of violence or serious abuse	7. Not able to identify a pattern	Total
45	38	22	38	36	60	2	241
<b>18%</b>	<b>16%</b>	<b>9%</b>	<b>16%</b>	<b>15%</b>	<b>25%</b>	<b>1%</b>	<b>100%</b>

**TABLE 4.31 Pattern of Violence Reported by client**

There are clear differences between the counsellors' own assessments and the pattern of violence reported by the clients. For instance 25% of clients claimed "no pattern of violence or serious abuse" but counselors considered only 4% were in this category. It is likely that this difference indicates a pattern of denial of violence by alleged perpetrators.

1. Long standing pattern of frequent abuse/violence	2. Long standing pattern of infrequent explosive episodes	3. Mutual pattern of abuse and violence	4. One or two isolated episodes	5. Violence triggered by the separation	6. No pattern of violence or serious abuse	7. Not able to identify a pattern	Total
57	52	44	30	44	10	4	241
<b>24%</b>	<b>22%</b>	<b>18%</b>	<b>12%</b>	<b>18%</b>	<b>4%</b>	<b>2%</b>	<b>100%</b>

**TABLE 4.32 Counsellors' Assessment of the pattern of Violence**

Another point of interest is the difference between counsellor and client reports of mutual abuse and violence (9% and 18% respectively). Tables 4.33 and 4.34 compare the nature of the violence reported by clients and the counsellor's assessment of the seriousness of the violence. The percentages suggest significant levels of under-reporting with counsellors not being informed of the underlying violence in a considerable number of cases. Although the categories are not exact equivalents it would seem that clients report much higher levels of serious violence (i.e. 32% serious violence and 3% very serious violence) than the counsellors assessment (16% very serious or 4% extremely serious).

1. Serious verbal abuse and/or terrorist threats only	2. Minor Physical violence	3. Serious violence	4. Very serious violence (i.e. physical beatings, threats with knife gun etc.)	Totals
46	85	65	6	202
<b>23%</b>	<b>42%</b>	<b>32%</b>	<b>3%</b>	<b>100%</b>

**TABLE 4.33 The nature of the violent behaviour reported by the client**

1. Serious verbal abuse and/or terrorist threats only	2. Minor Physical violence	3. Serious violence	4. Very serious violence (i.e. physical beatings, threats with knife gun etc.)	5 Total percentage of clients who disclosed violence
<b>8.6%</b>	<b>15.9%</b>	<b>12.1%</b>	<b>1.1%</b>	<b>37.7%**</b>

and responses as a percentage of all clients in the counsellor outcome data (N=536)

**\*\* The difference between this percentage and the 32% of clients who disclosed violence in Table 4.30 could be the result of denial on the part of the client and/or the counsellor making an assessment of the seriousness of the violence based solely on the ex-partners' account. The further difference between these percentages and the 44.4% of clients included in the counsellors' assessments of violence could well be the result of some counsellors not counting clients who disclosed only verbal or non-physical abuse or not counting some minor violence. It seems likely that this is a definitional inconsistency rather than a numerical error.**

1. Not serious	2. Fairly serious	3. Very serious	4. Extremely serious	5. Not able to make an assessment	Totals
75	109	38	10	6	238
<b>31%</b>	<b>46%</b>	<b>16%</b>	<b>4%</b>	<b>3%</b>	<b>100%</b>

**TABLE 4.34 Counsellor assessment of the seriousness of the violence reported**

1. Not serious	2. Fairly serious	3. Very serious	4. Extremely serious	5. Not able to make an assessment	Total percentage of clients who disclosed violence
<b>14%</b>	<b>20.3%</b>	<b>7.1%</b>	<b>1.9%</b>	<b>1.1%</b>	<b>44.4%</b>

and responses as a percentage of all clients in the counsellor outcome data (N=536)



## PART 4 VERBAL AND PSYCHOLOGICAL SPOUSE ABUSE REPORTED IN CLIENT QUESTIONNAIRES AND OTHER ABUSIVE BEHAVIOUR

### VERBAL AND PSYCHOLOGICALLY ABUSIVE BEHAVIOUR

Table 4.35 shows the average scores of all respondents to the verbal and psychological abuse 30-item instrument. All the items in this scale were originally developed as measures of abuse perpetrated on women by their male partners. Minor wording modifications were made to produce a scale for males to complete. In Table 4.36 a comparison has been made using only those 23 items common to both instruments.

Level of abuse	Male behaviour (N= 128)		Female Behaviour (N=108)	
<b>Extreme Abuse</b> (4.00 to 4.99 Av.)	41	<b>32%</b>	15	<b>14%</b>
<b>High Abuse</b> (3.00 to 3.99 Av.)	56	<b>44%</b>	38	<b>35%</b>
<b>Moderate Abuse</b> (2.00 to 2.99 Av.)	23	<b>18%</b>	48	<b>44%</b>
<b>Mild to No Abuse</b> (1.00 to 1.99)	8	<b>6%</b>	7	<b>7%</b>
<b>TOTAL</b>	128	<b>100%</b>	108	<b>100%</b>

**TABLE 4.35 Verbal & Psychological Abuse (All 30 Items in the Male and Female scales)**

The criteria used to label responses as extreme abuse through to the mild or no abuse category have been arbitrary, because there is no established criteria on which to classify verbal and psychological abuse. The average of the five-point scale has been used.

For further analysis I have designated the two top rating groups, with high ratings across all verbal and psychological abuse items as a high abuse group, or rather as

verbally and psychologically abusive. Respondents in these groups have rated most of the behaviours in the scale as frequent to very frequent behaviours. .

On this basis some 76% of men and 49% of women are classified as abusive. These percentages do not change much when the ratings are based on the 23 common items. Only a handful of clients, 5% to 7%, reported that the ex-partner had been mildly or not at all verbally abusive.

<b>Level of abuse</b>	<b>Male behaviour (N= 128)</b>		<b>Female Behaviour (N=108)</b>	
<b>Extreme Abuse</b> (4.00 to 4.99 Av.)	46	<b>36%</b>	16	<b>15%</b>
<b>High Abuse</b> (3.00 to 3.99 Av.)	51	<b>40%</b>	42	<b>39%</b>
<b>Moderate Abuse</b> (2.00 to 2.99 Av.)	24	<b>19%</b>	42	<b>39%</b>
<b>Mild to No Abuse</b> (1.00 to 1.99)	7	<b>5%</b>	8	<b>7%</b>
<b>TOTAL</b>	128	<b>100%</b>	108	<b>100%</b>

**Table 4.36 Verbal & Psychological Abuse (23 items common to the Male and Female scales)**

## **OTHER FEMALE ABUSIVE BEHAVIOUR**

It can be seen from Table 4.37 that 37% of the males who answered the following question: “To the best of your knowledge has your partner been physically violent with the children?” answered in the affirmative. A high level of child abuse is consistent with the growing body of family violence research, which indicates a strong correlation between spouse abuse and child abuse.

yes	no	fail to respond	yes as percentage of respondents to question
32	55	21	37 %

**TABLE 4.37 Child Abuse**

**FEMALE ALCOHOL CONSUMPTION AND ABUSIVE BEHAVIOUR ASSOCIATED WITH ALCOHOL OR DRUG USE AS REPORTED BY THE EX-PARTNER**

Table 4.38 has a breakdown of the responses to a sequence of 4 questions in relation to the female ex-partners abuse of alcohol, drugs and associated abusive behaviour. A number of female clients, between 18.1% and 16.1% use (or abuses) drugs or alcohol frequently or very frequently.

	Never	Rarely	Occasionally	Frequently	Very Frequently	total
The other party would become surly and angry if I told her she was drinking too much	58 <b>59%</b>	13 <b>13%</b>	16 <b>16%</b>	8 <b>8%</b>	4 <b>4%</b>	99 <b>100%</b>
The other party becomes abusive when she drinks	52 <b>53%</b>	15 <b>15%</b>	14 <b>14%</b>	8 <b>8%</b>	10 <b>10%</b>	99 <b>100%</b>
The Other Party gets drunk or used to get drunk	40 <b>41%</b>	23 <b>23%</b>	18 <b>18%</b>	11 <b>11%</b>	7 <b>7%</b>	99 <b>100%</b>
The Other Party used to use or uses other drugs	67 <b>68%</b>	9 <b>9%</b>	7 <b>7%</b>	10 <b>10%</b>	6 <b>6%</b>	99 <b>100%</b>

**TABLE 4.38 Female Alcohol Abuse**

## OTHER MALE ABUSIVE BEHAVIOUR

It can be seen from Table 4.39 that a significant minority of male clients were reported to have been violent in a range of other contexts within the family and in the community. The reported incidence of child abuse is identical with the prevalence reported for women at 37% when the “do not know” responses are not included in the analysis.

**To the best of your knowledge has your partner been: -**

	Yes	No	Do not know	Yes as % of respondents
Physically violent with other adult family members?	21	54	30	28%
Physically violent with the children?	34	58	13	37%
Involved in street fights or violent assaults on others?	26	60	19	30.2%
Charged with assault	18	67	20	20.9%
Has a criminal record, which involves violence or the use of a weapon?	15	68	22	18.3%

**TABLE 4.39 Other Male Abusive Behaviour (Including Child Abuse)**

## MALE ABUSIVE BEHAVIOUR AS REPORTED BY FEMALE EX-PARTNERS

A very different picture emerges when we look at the ex-partner reports of male alcohol and drug abuse and associated abusive behaviour. It can be seen from Table 4.49 that a very significant minority of responses to all items were in the combined categories of frequently and very frequently (e.g.. 40.5% male partners get drunk, 24.1% use other drugs frequently or very frequently). This suggests abusive behaviour associated with drug and alcohol abuse in male clients is more than double that of the female clients of the Court.

	Never	Rarely	occasionally	frequently	very frequently	total
The other party would become surly and angry if I told him he was drinking too much	56 48.69%	7 6%	11 9.56 %	15 13%	26 22.6	115 100%
The other party becomes abusive when he drinks	49 42.24%	11 9.48%	15 12.93%	13 11.2%	28 24.13%	116 100%
The other party gets drunk or used to get drunk	41 35.34%	11 9.48%	17 14.65%	18 15.51%	29 25%	116 100%
The other party used to use or uses other drugs	79 68.1%	2 1.72%	7 6%	10 8.62%	18 15.52%	116 100%
The other party would demand sex whether I wanted it or not	21 17%	25 20%	21 17%	25 20%	33 26%	115 100%

**TABLE 4.40 Male Drug, Alcohol Abuse And Sexual Abuse**

The responses to the above question suggest a fairly high prevalence of sexual abuse by male court counselling clients within their marriages or de facto relationships. The majority of women (63%) indicated that their ex-partners had demanded sex, irrespective of their feelings, at least occasionally.

## **PART 5 ESCALATION OF VIOLENT AND ABUSIVE BEHAVIOUR DURING THE SEPARATION CRISIS**

The escalation of abusive behaviour during the separation crisis period has never been studied in any depth or in a systematic way other than in a number of studies on domestic homicide (e.g. Polk & Ranson 1991 and Wallace 1986). The homicide studies have at least highlighted the extreme dangers that may exist for small numbers of women who separate from violent marriages, but we know little about the magnitude of the problem. There are no agreed upon methods to measure the phenomenon.

There have been some recent attempts to develop homicide risk screening instruments (Campbell 1995) and most clinical experts in violence assessment agree that there is a small number of agreed upon risk markers which indicate a risk of partner homicide. The recent pattern of abuse, paying particular attention to increases in the frequency and severity of violence, is normally used in conjunction with these risk markers to assess risk. Separation has been identified as a period of very high risk, when these risk markers are present in the relationship (Campbell 1992).

In our study we have relied upon questions from the serious violence end of the conflict tactics scale and other items, which have been used in conjunction with the scale in other studies. Participants were asked in the research questionnaire to indicate if these behaviours stayed the same, happened more often or happened for the first time. A number of respondents in fact indicated that the behaviours happened less often, because they had physically separated from the ex-partner, which had resulted in a cessation of the abuse.

To generate a broad measure of the escalation and its magnitude each ‘happened more often’ response was scored 1 and ‘happened for the first time’ was scored 2. This method was based on the rationale that in many relationships there is an increase in the frequency of conflict, which may result in a corresponding increase in the frequency of abuse around the time of the separation. However, the escalation of the violence to new levels of severity is a much more significant indicator of risk. The results of this analysis are shown below in Table 4.41 for serious violent behaviour and this includes both genders and Table 4.42 for extremely serious violence for male violence only.

In the questionnaire clients were asked “During this time of conflict was there a change in the frequency of heated arguments and angry behaviours seen in your partner?” Table 4.41 shows the responses to the single item “Threatened to take the children away from me”.

	No change	Happened more often	Happened for the first time	TOTAL
<b>Males</b> (as reported by ex-partners)	33 27.5%	40 33.33%	47 39.17%	120 100%
<b>Women</b> (as reported by ex-partners)	25 23.36%	48 44.86%	34 31.78%	107 100%

**TABLE 4.41 Threatened to take the children away**

The high response rates in the ‘happened more often’ and ‘happened for the first time’ categories in this question are not unexpected. The main difference between the genders would seem to be in the ‘happened more often’ category, which suggests a

higher incidence of males threatening to take the children away prior to the separation. It is evident, however that both genders report a high incidence of ex-partners having made these threats and it is likely that there is a high incidence of both male and female litigants having inappropriately involved the children in the adult conflict.

In addition to this question participants were also asked about the following group of behaviours; **“Threaten to hit, throw something at me; threw or smashed hit or kicked something; threw something at me; pushed, grabbed, or shoved me; frighten or intimidate by following you around or harassing on the phone; threaten to commit suicide; slapped me; kicked, bit, or hit with a fist, hit or tried to hit with something.”**

Scored responses are set out in table 4.42

Score	<b>*Male Behaviour (ex-partner report)</b>		<b>*Female Behaviour (ex-partner report)</b>	
	Number	Percentage of sample (N=128)	Number	Percentage of sample(N=108)
(1-3)	45	35	42	39
(4-7)	30	24	11	10
(8-11)	14	11	8	7
12 and over	3	2	3	3
<b>Total</b>	92	72	64	59

**TABLE 4.42 Escalation in Abusive Behaviour during Separation Crisis**

(\*  $\chi^2 = 7.56$ ,  $df = 1$ ,  $p = 0.006$ ; overall difference between male and female behaviour significant.)

It can be seen that significant numbers of respondents reported an escalation of abusive behaviour during the separation crisis and males may be slightly more likely than women to escalate their abusive behaviour although the reported differences are not large (72% and 59%). Reports of a dramatic escalation in these behaviours (score 8 and over) are equally likely in men and women (13% and 10% respectively).

The incidence of male behaviour, as reported by ex-partners, is only reported with respect to the last group of very violent behaviours, because the male and female scales are not the same (threats and use of weapon questions not included in male questionnaires) because we are primarily concerned with risks to women from extreme levels of violence.

Participants were also asked about the incidence of the following group of behaviours; **“Frighten you by driving recklessly or other dangerous behaviour; threaten to kill you; beat you up (punched or kicked on a number of occasions); injure you so badly that you had to seek medical treatment; choked you; threaten with a knife or gun; used a knife or fired a gun.”**

Score	Number	Percentage of sample (N=128)
(1-2)	36	28.1
(3-4)	11	8.6
5 and over	6	4.7
<b>TOTAL</b>	<b>53</b>	<b>41.4</b>

**TABLE 4.43 Escalation in Male Very serious Abusive Behaviour during Separation Crisis**

It should be noted that almost all responses counted in this table were also included in Table 4.42. We may, thus conclude that, based on ex-partner reports, 72% of men and 59 % women escalated their abusive behaviour during the conflictual stages of separation. About 13% of men and 10% of women dramatically escalated their abusive behaviour and in around 5% of males this escalation includes an increase in the level of extremely serious and possibly even life threatening violence.



## **CHAPTER FIVE**

### **RESULTS**

#### **AN ANALYSIS OF THE COUPLE DATA**

**A comparative perspective on the data. Can we make sense of the complexity?**

## **THE COUPLE RESEARCH DESIGN**

Collecting data on couples undertaking Family Court counselling was an integral objective of this study. There were, however, a number of unexpected problems in collecting data from couples. In many interviews one parent failed to attend, or asked to be seen separately because of past domestic violence. As a consequence data were collected from only one of the parents in a high percentage of cases. Other administrative problems included cases in which the data could not be clearly identified with a client.

Despite these unexpected problems, the response rate to the post out questionnaire was reasonably good and in total there were 26 cases in which there was fairly complete couple data. In 20 of these 26 cases, with couple data, there was also counsellor outcome data and it is possible to compare the data provided by the couple in relation to the same behaviour and events, with the counsellor perspective. This small group of 20 cases will form the basis of the analysis in this chapter.

## **APPREHENDED VIOLENCE ORDERS**

In the two page demographic questionnaire clients were asked 'Have you ever taken out a Restraining - Apprehended Violence Order against the other person?' Response options were: 'Yes in the past', 'Yes still current' and 'No'. Results are shown in Table 5.1 below.

In the analysis of the full sample of 547 subjects who completed the demographic questionnaire (shown in brackets) 41% of the female respondents reported having, or having had, an AVO against the ex-partner. In this small sub-sample of 20 couples it

will be seen that 35% of women had reported AVO's, but no males had taken out AVO's (7 % full sample). Given the size of this smaller sample there is nothing in this pattern of results to suggest the samples are from different populations. The more important question that will be considered in some detail is whether or not there is a difference between the population of clients that have taken out AVO's in relation to the ex-partners behaviour and those clients that do not have AVO's. We will examine the proposition that the presence of an AVO is a good indicator of a violence problem.

1. Yes in the past	2. Yes still current	3. No	total
4 (58)	3 (55)	13 (160)	20 (273)
20% (21%)	15% (20%)	65% (59%)	100%

#### **FEMALE SUBJECTS**

1. Yes in the past	2. Yes still current	3. No	total
Nil (9)	Nil (11)	20 (255)	20 (275)
0% (3%)	0% (4%)	100% (93%)	100%

#### **MALE SUBJECTS**

**TABLE 5.1 Violence Order against the other person (full sample data shown in brackets)**

In Tables 5.2 and 5.3 the responses made by our sub-sample to the two general indicator questions concerning physical and emotional abuse are shown compared to the full sample in brackets. It will be seen that the pattern of responses is very similar with high positive responses to the questions by both genders, especially the women.

Physical and /or emotional abuse a problem in the relationship			Physical and/ or emotional abuse a significant issue in your life at the present time		
Yes	No	Total	Yes	No	Total
14 (170)	6 (108)	20 (278)	11(121)	9(156)	20 (277)
70% (61)	30% (39)	100%	55% (44)	45% (56)	100%

#### **MALE RESPONDENTS**

**TABLE 5.2 Physical and /or emotional abuse (full sample data shown in brackets)**

Physical and /or emotional abuse a problem in the relationship			Physical and/ or emotional abuse a significant issue in your life at the present time		
Yes	No	total	Yes	No	Total
17 (219)	3 (55)	20 (274)	15 (175)	5 (98)	20 (273)
<b>85% (80)</b>	<b>15% (20)</b>	<b>100%</b>	<b>75% (64)</b>	<b>25% (36)</b>	<b>100%</b>

## FEMALE RESPONDENTS

**TABLE 5.3 Physical and /or emotional abuse (full sample data shown in brackets)**

All seven women in our sub-sample that had taken out AVOs against the ex-partner answered yes to both of these questions, indicating both past abuse and current concern about abuse.

In the tables that follow the reported incidence of minor, serious and very serious violence for our sub-sample are recorded together with the full sample data again shown in brackets.

	MALE VIOLENCE			FEMALE VIOLENCE	
	Partner Report	Self Report		Partner Report	Self Report
No of responses	17 (78)	9(62)	No of responses	14(82)	11(51)
Percentage	<b>85% (61)</b>	<b>45% (57)</b>	Percentage	<b>70% (76)</b>	<b>55% (40)</b>

**TABLE 5.4 Minor Physical Violence (Throw an object at, push, grab, shove, slap)**

	MALE VIOLENCE			FEMALE VIOLENCE	
	Partner Report	Self Report		Partner Report	Self Report
No of responses	15 (67)	6 (30)	No of responses	7 (68)	3 (22)
Percentage	<b>75% (52)</b>	<b>30% (28)</b>	Percentage	<b>35% (63)</b>	<b>15% (17)</b>

**TABLE 5.5 Serious Physical Violence (kick, hit/ punch, dangerous behaviour and beat-up)**

	MALE VIOLENCE			FEMALE VIOLENCE	
	Partner Report	Self Report		Partner Report	Self Report
No of responses	10 (49)	2 (5)	No of responses	0 (5)	2 (12)
Percentage	<b>50%</b> (38)	<b>10%</b> (5)	Percentage	<b>0%</b> (5)	<b>10%</b> (9)

**TABLE 5.6 Very Serious Physical Violence (beating requiring medical treatment, choked, threaten with or use knife or gun)**

## MALE VIOLENCE

BEHAVIOUR	SELF REPORT		PARTNER REPORT	
Threw, or smashed or hit or kicked something	6	<b>30%</b> (52)	14	<b>70%</b> (56)
Threw something at the other party	0	<b>0%</b> (21)	8	<b>40%</b> (45)
Pushed, grabbed, or shoved the other party	6	<b>30%</b> (41)	14	<b>70%</b> (57)
Slapped the other party	2	<b>10%</b> (31)	9	<b>45%</b> (41)
Percentage positive response in category	<b>table 5.4</b>	<b>45%</b> (57)	<b>table 5.4</b>	<b>85%</b> (61)

**TABLE 5.7 Reported Minor Male Violence**

BEHAVIOUR	SELF REPORT		PARTNER REPORT	
Kicked, bit, or hit with a fist	1	<b>5%</b> (15)	7	<b>35%</b> (38)
Hit or tried to hit with something	1	<b>5%</b> (18)	7	<b>35%</b> (37)
Frightened the other party by driving recklessly or other dangerous behaviour	6	<b>30%</b> (12)	13	<b>65%</b> (28)
Beat up the other party (punched or kicked the other party on a number of occasions)	0	<b>0%</b> (5)	6	<b>30%</b> (23)
Percentage positive response in category	<b>table 5.5</b>	<b>30%</b> (28)	<b>table 5.5</b>	<b>75%</b> ( 52)

**TABLE 5.8 Reported Serious Male Violence**

BEHAVIOUR	SELF REPORT		PARTNER REPORT	
Injured so badly that medical treatment had to be sought	0	<b>0%</b> (4)	6	<b>30%</b> (21)
Choked the other party	2	<b>10%</b> (2)	5	<b>25%</b> (23)
Threaten with a knife or gun	N/A	N/A	7	<b>35%</b> (20)
Used a knife or fired a gun	N/A	N/A	1	<b>5%</b> (3)
Percentage positive response in category	<b>table 5.6</b>	<b>10%</b> (5)	<b>table 5.6</b>	<b>50%</b> (38)

**TABLE 5.9 Reported Very Serious Male Violence**

## FEMALE VIOLENCE

BEHAVIOUR	SELF REPORT		PARTNER REPORT	
Threw, or smashed or hit or kicked something	7	35 % (37)	8	40 % (71)
Threw something at the other party	4	20 % (20)	11	55 % (48)
Pushed, grabbed, or shoved the other party	7	35 % (32)	10	50 % (67)
Slapped the other party	2	10 % (19)	24	40 % (58)
Percentage positive response in category	table 5.4	55 % (40)	table 5.4	70 % (76)

**TABLE 5.10 Reported Minor Female Violence**

BEHAVIOUR	SELF REPORT		PARTNER REPORT	
Kicked, bit, or hit with a fist	2	15 % (11)	4	20 % (43)
Hit or tried to hit with something	3	18 % (8)	5	25 % (39)
Frightened the other party by driving recklessly or other dangerous behaviour	1	12 % (17)	0	0 % (37)
Beat up the other party (punched or kicked the other party on a number of occasions)	0	0 % (2)	2	10 % (26)
Percentage positive response in category	table 5.5	15 % (17)	table 5.5	35 % (63)

**TABLE 5.11 Reported Serious Female Violence**

BEHAVIOUR	SELF REPORT		PARTNER REPORT	
Injured so badly that medical treatment had to be sought	0	0 % (3)	0	0 % (4)
Choked the other party	0	0 % (1)	0	0 % (2)
Threaten with a knife or gun	2	10 % (6)	N/A	N/A
Used a knife or fired a gun	0	0 % (0)	N/A	N/A
Percentage positive response in category	table 5.6	10 % (9)	table 5.6	0 % (5)

**TABLE 5.12 Reported Very Serious Female Violence**

From an examination of the data in the above tables it would appear that there are higher rates of male violence at all levels, minor, serious, and very serious violence in the sub-sample of couples than in the full (non-couples) sample. At the same time the ex-partner reports of female violence indicate lower levels of female violence at all levels of conflict. On the other hand, the self reporting rates of violence by both genders have not changed very much at all.

## **THE REPORTS OF THE SEVEN WOMEN WHO HAD TAKEN OUT AVO's**

These seven women all reported extremely high levels of ex-partner violence. The procedure used for the analysis of the responses to the conflict tactics scales' questions and to report the incidence of violence was to count all positive responses. This has been the primary method used in most similar epidemiological studies on the prevalence or incidence of violent behaviours (Straus 1979 and 1990a).

All seven women with past or current AVO's against their ex-partners had endorsed all items in the minor violence scale in relation to the ex-partners behaviour, with three women rating all the items as having occurred at the highest possible frequency rating (most of the time). The other women rated a number of the behaviours as having occurred regularly or occasionally.

The women's responses to the serious violence items included a group of four women who endorsed all items, with the other three women endorsing a number of items. From within the group of four women who endorsed all items, the same three women as before reported all behaviours having happened with the maximum frequency (most of the time) and the other respondent endorsed the occasionally category with respect to all behaviours.

The response pattern to the very serious violence items included four of the women indicating that they had been beaten and injured so badly that medical treatment had to be sought. Two reported requiring medical treatment once or twice, one occasionally and one most of the time (at least weekly). Two indicated that they had been choked by the ex-partner, one most of the time and another once or twice. Six out of the seven indicated they had been threatened with a knife or gun, three once or twice, one occasionally, one regularly, and one most of the time. Finally one of the respondents indicated that the ex-partner had used a knife or gun on her occasionally.

The responses of the seven women to the CTS items, as detailed above, indicate patterns of violent behaviour that were clearly at very high levels. Certainly on the evidence of these seven women there is every indication that the presence of an AVO is

a good indicator of serious spouse abuse, including frequent and serious physical violence and threatening behaviour.

## COMPARISON BETWEEN THE FULL SAMPLE AND SUB-SAMPLES

The following tables show a comparison between all three samples, full sample, sample of couples, and sample of seven couples with AVOs taken out against the man.

	MALE VIOLENCE		FEMALE VIOLENCE	
	Partner Report Percentage	Self Report Percentage	Partner Report Percentage	Self Report Percentage
Research sample (n=256)	61%	57%	76	40
Couple sample (n=40)	85%	45%	70%	55%
AVO sample 7 couples (n=14)	n=7	n=5	n=6	N=4

**TABLE 5.13 Minor Physical Violence (throw an object at, push, grab, shove, slap)**

	MALE VIOLENCE		FEMALE VIOLENCE	
	Partner Report Percentage	Self Report Percentage	Partner Report Percentage	Self Report Percentage
Research sample (n=256)	52%	28%	63%	17%
Couple sample (n=40)	75%	30%	35%	15%
AVO sample 7 couples (n=14)	n =7	n=3	n=3	n=2

**TABLE 5.14 Serious Physical Violence (kick, hit/ punch, dangerous behaviour, beat-up)**

	MALE VIOLENCE		FEMALE VIOLENCE	
	Partner Report Percentage	Self Report Percentage	Partner Report Percentage	Self Report Percentage
Research sample (n=256)	38%	5%	5%	9%
Couple sample (n=40)	50%	10%	0%	10%
AVO sample 7 couples (n=14)	n=6	n=1	n=1	n=0

**TABLE 5.15 Very Serious Physical Violence (beating requiring medical treatment, choked, threaten with or use knife or gun)**



Although the numbers are very small in the two sub-samples and consequently it would be unwise to place a lot of confidence in observable relationships, there are clear patterns in the data. It is most evident that the difference between the partner and self-reports of male behaviour is present in all three samples, but this pattern has not been reflected in the female data.

## **FEMALE SELF REPORTED VIOLENCE AND SELF-DEFENCE**

The following table provides a summary of the responses of women, who had self-reported violent behaviour, to the question 'If behaviours listed occurred what percentage of the time were you acting in self-defence?' A separate analysis of the responses of the women who reported AVO's is also shown .

<b>SELF- DEFENCE % OF THE TIME</b>	<b>NO OF RESPONSES couples</b>	<b>% couples</b>	<b>ACCUM. couples</b>	<b>NO OF RESPONSES AVO's</b>	<b>% AVO's</b>	<b>ACCUM. % AVO's</b>
<b>10%</b>	7	<b>60%</b>	<b>100%</b>	3	<b>43%</b>	<b>100%</b>
<b>20%</b>	1	<b>8%</b>	<b>40%</b>	1	<b>14%</b>	<b>56%</b>
<b>30%</b>	0					
<b>40%</b>	0					
<b>50%</b>	1	<b>8%</b>	<b>32%</b>			
<b>60%</b>	1	<b>8%</b>	<b>24%</b>	1	<b>14%</b>	<b>42%</b>
<b>70%</b>	1	<b>8%</b>	<b>16%</b>	1	<b>14%</b>	<b>28%</b>
<b>80 %</b>	0					
<b>90%</b>	0					
<b>100%</b>	1	<b>8%</b>	<b>8%</b>	1	<b>14</b>	<b>14%</b>
<b>TOTAL</b>	12	<b>100%</b>			<b>7</b>	

**TABLE 5.16 Self-Defensive Behaviour**

The results in the above table are not dissimilar to the results for the full sample quoted in Table 4.34. In the full sample a significant minority of the women (27%) perceived that their violent behaviour was primarily motivated by a need to defend themselves (60% or more of the time) compared to 24% in the sample of 20 couples.

The results quite understandably show that in the much more violent relationships of the seven couples, where AVO's had been taken out, self-defence was a common motivator of behaviour.

The results seem to reflect a complex pattern of relationships. Some responders exhibited high levels of self-defence and others low levels of self-defensive in response to high levels of ex-partner abuse.

## **THE TELEPHONE FOLLOW-UP INFORMATION WHICH CORRESPONDS WITH THE COUPLE RESPONSES**

An examination of the twenty cases in which there was complete couple data revealed that in three cases both parents were participants in the telephone follow-up interviews, and in these cases there was, coincidentally, a current AVO or one had been taken out in the past. It has already been established that all seven cases in which AVO's had been taken out had high levels of male domestic violence (based on predominantly the women's report of the ex-partner's violent behaviour).

In two of these three cases the ex-partners reported high levels of male violence. Both cases included violence up to the level of physical beatings. In one of the two cases the male denied any violence problem and said, during the follow-up interview, that a lot of false allegations had been made by his ex-partner to try to prevent him from seeing the children. Despite these complaints about his ex-partner's behaviour he also reported that an agreement for contact had been worked out just before the counselling through the solicitors and some eight months later this regular arrangement was still working successfully.

In the other case the male in his telephone interview acknowledged that there had been "a little bit of physical violence on (his) side....But (he) had been fighting to keep the relationship together." The male also reported that no arrangements for contact had been put in place and he argued that his ex-partner was using the AVO to make it difficult for him to see the children. He alleged that the pressure of the dispute was making it hard for the children, but he did not know if going to Court would help either because there was no guarantee that his ex-partner would comply with court orders.

In the last of this group of three cases there was a significant difference from the other two with much less male violence reported. In their responses to the conflict tactics scale questions neither parent self-reported any violence. The male claimed a high frequency of minor physical abuse perpetrated by the ex-partner (i.e.-frequent episodes of pushing, shoving and hitting), and claimed to have been beaten up by his ex-wife once or twice. The female ex-partners' answers to the violence items, however, indicated a small amount of physical abuse perpetrated by them both.

In his eight-month follow-up interview the male indicated that his ex-partner had a very volatile personality and said that it had even been recorded in the family report, completed for the hearing, that she had hit him and the children. In her follow-up interview the women, on the other hand, argued that she had been a victim and her ex-partner who had always tried to control her through intimidation and verbal and financial abuse.

## **THE COUNSELLOR OUTCOME DATA**

Of our small sub-sample of twenty couples the counsellor outcome data indicated that only two males reported domestic violence to the Counsellor and both their partners also reported the violence. One case has already been discussed in some detail above. The other male respondent reported a pattern of violence triggered by the separation and the female partner seemed to be in agreement. Both were reporting a degree of physical abuse, but at the lower levels of severity, mainly in the pushing, shoving and slap categories.

In a further nine cases domestic violence had been disclosed by the female partner, which was presumably denied by their partners, or disclosed without the knowledge of the male in a separate interview. The nine disclosures by the female partners are shown in Tables 5.17 and 5.18.

1. Long standing pattern of frequent abuse/violence	2. Long standing pattern of infrequent explosive episodes	3. Mutual pattern of abuse and violence	4. One or two isolated episodes	5. Violence triggered by the separation	Total
2	2	0	5	0	9

**TABLE 5.17 Client Reported Pattern of Violence**

Table 5.18 shows the counsellor's assessment of the actual pattern of violence and the main change between the client report and the counsellor's assessment would seem to be in relation to the reclassification of two cases as mutual abuse.

1. Long standing pattern of frequent abuse/violence	2. Long standing pattern of infrequent explosive episodes	3. Mutual pattern of abuse and violence	4. One or two isolated episodes	5. Violence triggered by the separation	6. No pattern of violence or serious abuse	7. Not able to identify a pattern	Total
1	3	2	3	1	0	1	11

**TABLE 5.18 Counsellor's Assessment of the Pattern of Violence**

Table 5.19, below, shows the breakdown in relation to the nature of the violence reported. Counsellors only classified four cases from the information disclosed in counselling as involving serious physical violence using the same criteria as the CTS scale items. This is much lower than the female reports of their male ex-partner's violence (15 reporting serious violence and 10 reporting very serious violence), but similar to the male self-reporting levels (6 and 2).

1. Serious verbal abuse and/or terrorist threats only	2. Minor Physical violence	3. Serious violence	4. Very serious violence (ie. physical beatings, threats with knife gun etc.)	Totals
1	6	4	0	11

**TABLE 5.19 The Nature of the Violent Behaviour Reported by the Client**

1. Not serious	2. Fairly serious	3. Very serious	4. Extremely serious	Totals
6	4	1	0	11

**TABLE 5.20 Counsellor Assessment of the Seriousness of the Violence Reported**

### **OTHER ABUSIVE FEMALE BEHAVIOUR**

The sub-sample responses to the questions in the questionnaires that related to the other abusive behaviour (child abuse, drug and alcohol abusive behaviour, and general violence) are shown below with some comparative figures from the full sample shown in brackets. Despite the smallness of our sub-sample the results are very similar to the results of the full research questionnaire sample.

yes	no	fail to respond	yes as percentage of respondents to question
5 (32)	12 (55)	3 (21)	29% (37)

**TABLE 5.21a Child Abuse**

	Never	Rarely	Occasionally	Frequently	Very Frequently	No answer
The other party would become surly and angry if I told her she was drinking too much	10 50%	2 10%	5 25%	1 5% (8%)	1 5% (4%)	1 5%
The other party becomes abusive when she drinks	11 55%	3 15%	2 10%	3 15% (8%)	0 (10.1)	1 5%
The other party gets drunk or used to get drunk	7 35%	5 25%	3 15%	3 13% (11)	3 15% (7)	1 5%
The other party used to use or uses other drugs	15 75%	1 5%	2 10%	1 5% (10)	0 (6)	1 5%

**TABLE 5.21b Alcohol And Drugs**

## OTHER ABUSIVE MALE BEHAVIOUR

	Never	Rarely	occasionally	frequently	very frequently	No answer
The other party would become surly and angry if I told him he was drinking too much	9 45%	1 5%	2 10%	1 5% (13)	4 20 (22.6)	3 15%
The other party becomes abusive when he drinks	8 40%	3 15%	1 5%	2 10% (11.2)	3 15 (24)	3 15%
The other party gets drunk or used to get drunk	9 45%	0	1 5%	3 15% (15.5)	4 20% (25)	3 15%
The other party used to use or uses other drugs	13 65%	0	1 5%	3 15% (8.6)	0 (15.5)	3 15%

**TABLE 5.22a Alcohol And Drugs**

	Never	Rarely	Occasional ly	Frequently	Very frequently
The other party would demand sex whether I wanted it or not	6 30% (17)	2 10% (20)	3 15% (17)	7 35% (20)	3 15% (26)

**TABLE 5.22b Sexual Abuse**

**To the best of your knowledge has your partner been: -**

	Yes	No	Do not know	No answer	Yes as % of respondents
Physically violent with other adult family members?	2 10%	8 40%	7 35%	3 15%	11.8% (20)
Physically violent with the children?	6 30%	10 50%	1 5%	3 15%	35.3% (32.38)
Involved in street fights or violent assaults on others?	3 15%	8 40%	6 30%	3 15%	17.6% (24.76)
Charged with assault	3 15%	12 60%	2 10%	3 15%	17.7% (17.14)
Has a criminal record, which involves violence or the use of a weapon?	3 15%	12 60%	2 10%	3 15%	17.7% (14.28)

**TABLE 5.23 General Violence**

## ESCALATION OF VIOLENT AND ABUSIVE BEHAVIOUR DURING THE SEPARATION CRISIS

The reported escalation of threats to take the children away for the sub-sample is shown in Table 5.24 with the full research sample results shown in brackets

	No Change	Happened More Often	Happened for the first time	TOTAL
<b>Males</b> (as reported by ex-partners)	4 <b>20%</b> (27.5)	6 <b>30%</b> (33.33)	10 <b>50%</b> (39.37)	<b>100%</b>
<b>Women</b> (as reported by ex-partners)	3 <b>15%</b> (23.36)	8 <b>40%</b> (44.86)	9 <b>45%</b> (31.78)	<b>100%</b>

**TABLE 5.24 Threats To Take Children Away**

The reports of the escalation of violent and abusive behaviour have been scored on the basis that each happened more often response was scored one (1) and a happened for the first time response was scored two (2) to develop a broad comparative measure of the extent of the problem. The full sample data are again shown in brackets in the tables. This process was followed with respect to the following sequence of violent tactics/ behaviours:

“Threaten to hit, throw something at me; threw or smashed hit or kicked something; threw something at me; pushed, grabbed, or shoved me; frighten or intimidate by following you around or harassing on the phone; threaten commit suicide; slapped me; kicked, bit, or hit with a fist, hit or tried to hit with something.”

Score	Male Behaviour (ex-partner report)		Female Behaviour (ex-partner report)	
	Number	Percentage of sample (N=20)	Number	Percentage of sample(N=20)
(1-3)	8	<b>40</b> (35)	9	<b>45</b> (39)
(4-7)	5	<b>25</b> (24)	2	<b>10</b> (10)
(8-11)	1	<b>5</b> (11)	2	<b>10</b> (7)
12 and over	1	<b>5</b> (2)	0	<b>0</b> (3)
<b>Total</b>	15	<b>75</b> (72)	13	<b>65</b> (59)

**TABLE 5.25 Escalation Of Serious Violence**

The same process was followed with the following group of very violent behaviours: “Frighten you by driving recklessly or other dangerous behaviour; threaten to kill you; beat you up (punched or kicked on a number of occasions); injure you so badly that you had to seek medical treatment; choked you; threaten with a knife or gun; used a knife or fired a gun.”

	<b>Men (ex-partner report)</b>	
<b>Score</b>	<b>Number</b>	<b>Percentage of sample (N=20)</b>
<b>(1-2)</b>	6	<b>30(36)</b>
<b>(3-4)</b>	3	<b>15(11)</b>
<b>5 and over</b>	1	<b>5(6)</b>
<b>TOTAL</b>	<b>10</b>	<b>50(53)</b>

**TABLE 5.26 Escalation Of Very Serious Violence**

It may be seen that, despite the smallness of the sub-sample, the percentage figures for the two samples are surprisingly similar. It will be seen that four out of the sample of 20 reported a significant escalation in the seriously violent behaviours listed above.

What would seem to distinguish these four cases, in which there was reportedly a very serious escalation in violent behaviour, from the rest of the sample? All four cases had reasonably high baseline levels of violent behaviour prior to the separation crisis, but there were also a number of differences. In three out of the four cases the women had reported that much of their own behaviour had been motivated by self-defense

In the one case in which self-defense was not a motivator the woman self-reported a fair amount of mutual violence as did her male ex-partner. It was reported that they had both threatened each other with a gun or a knife, with the women engaging in more frequent pushing and shoving. Similar levels of other violence were reported in their separate research survey questionnaires, however, the woman indicated that she had required medical treatment once or twice after being bashed by the ex-partner.



In the other three cases it was evident that although the women were reporting that their own behaviour was more often than not motivated by self-defense the self-report and ex-partners reports did not indicate much female violence. On the other hand in all three cases the women's report of the ex-partner's behaviour indicated high baseline levels of serious violence.



## **CHAPTER SIX**

### **RESULTS**

### **OF THE FOLLOW-UP TELEPHONE INTERVIEWS**

#### **A qualitative client perspective**

## THE CONDUCT OF THE FOLLOW-UP CLIENT INTERVIEW

During March and April, 1996 (8 to 9 months after the end of the survey month of July 1995) a sub-sample of clients was interviewed and asked several questions on their experience of court counselling and the Family Court process. Survey clients were questioned about their personal adjustment to the separation, the adjustment of other family members, their views in relation to the counselling process and other assistance they found to be helpful. A copy of the interview schedule is in Appendix 9.

## THE CLIENTS' PERCEPTION OF THEIR OWN EXPERIENCE

The Clients were asked during the follow up interview about how things had changed for themselves personally since their involvement with court counselling and to rate the changes: "For you personally do you think that things are much better, improved, about the same, worse or much worse?" The responses to this question are shown below in Table 6.1

<b>Change</b>	<b>Male (n=15)</b>	<b>Female (n=25)</b>	<b>Total (n=40)</b>
Much Better	2 (13.33%)	5 (20%)	7 (17.5%)
Improved	2 (13.33%)	5 (20%)	7 (17.5%)
About the Same	2 (13.33%)	3 (12%)	5 (12.5%)
Worse	3 (20.0%)	6 (24%)	9 (22.5%)
Much Worse	6 (40.0%)	6 (24%)	12 (30%)
Total	15 (100%)	25 (100%)	40 (100%)

**TABLE 6.1 Personal Changes**

It can be seen that only 35 % of the respondents indicated that their personal situation had improved since they had attended court counselling in July or since an earlier time, if this had not been their first counselling appointment.

## FACTORS THAT CONTRIBUTED TO FEMALE CLIENTS' REPORTING IMPROVED PERSONAL CIRCUMSTANCES

### **Much better (Female participants):**

Five of the twenty-five women or 20 % indicated that their personal life had been much better since this initial involvement in the research project. Partner abusive behaviour was reported as a significant problem by all five of these women, with three reporting abuse that included at least some physical violence and the other two reporting that the abuse had consisted of serious verbal and psychological abuse.

Four out of five of the women reported that the absence of ex-partner abuse or, at least, a major reduction in the level of ex-partner verbal abuse and threatening behaviour was a major factor in the very positive changes they had experienced. All four women indicated that their lives had improved because they were having little or no contact with their ex-partner. Two reported that they had negotiated regular contact arrangements for the other parent to see the children and that these arrangements were working, which had reduced the need to negotiate and interact with each other. In the other two cases access arrangements for the children to see their father had broken down reportedly because of his harassment and abusive behaviour, which had made contact unpleasant and difficult to arrange. Again the absence of communication with the other parent was seen as positive for the parent and the children

One of the women, whose children were not having contact, indicated that their had been a pattern of abuse throughout her three year relationship with the other parent, and one very serious physical assault, which had resulted in her hospitalisation. This respondent also indicated that her ex-partner had gambling, alcohol and drug abuse problems. This respondent asserted that the children had experienced contact as being most unpleasant and that when her daughter had expressed anger at her father's behaviour he had said to her "well I don't think that I love you any more". In the second case gambling and alcohol problems were also identified, but the abuse was said to have been mainly focused on the children before and especially after the separation.

In the fifth case a different pattern was reported with most of the violence having allegedly occurred during the separation process and evidently triggered by the separation itself. It is evident that this case involved a particularly difficult adjustment

and overwhelming grief problems for the father associated with a death in his family of origin at around the time of the separation. The female respondent in this case identified community agency assistance from lifeline including family counselling, family support services, and a men's counselling group which provided assistance for her ex-partner as the major factors that contributed to positive changes.

### **Improved (Female participants):**

A further five or 20 % of the female participants indicated that for them personally things had improved. Thus a total of ten out of twenty five or 40 % of the female clients in the follow-up telephone interviews indicated that there had been improvement in their emotional well being. The improved respondents all reported that the abusive behaviour of the other parent had been a significant problem. Three of the women reported abuse that included at least some physical violence (one of which also identified frequent sexual abuse throughout the marriage) and the other two reported that the abuse had consisted of serious verbal and psychological abuse.

The stories of all five respondents in this group were different with few common features. For two respondents it was evident that the factor that contributed most to their assessment of improvement was a context in which protracted litigation between themselves and the other parent over property and the arrangements for the children were drawing to an end. One of these respondents also indicated that she had been able to use the time since the separation constructively and now had much greater control over her life. Both indicated that the relationship with the other parent had in fact deteriorated, but with the ending of the litigation they did not have to interact with each other.

Two women reported that improvement was a consequence of them having become more accepting or philosophical about their situation. One of these women indicated that her ten-year marriage had been characterised by abusive interaction, which had escalated to the point of periodic violent explosions, which involved serious physical violence at the six-year mark. As a consequence of this history of serious violence leading up to the separation the respondent said that she believed that her ex-partner was capable of carrying out threats made to kill her and the children. The change for

this respondent was her changed perception of the other parent's behaviour and she reported that she now views his behaviour as a pathetic attempt to coerce her back into the marriage. This woman also reported having successfully negotiated regular contact arrangements, with hand-overs supervised by relatives.

The second women indicated that having an apprehended violence order (AVO) put in place against her ex-partner allowed the angry behaviour to settle and provided an opportunity for change through Court counselling and relationship counselling at Relationships Australia. This respondent also reported that she believed that her relationship had changed, because her attitude to her partner's abusive behaviour had changed. She said that she believed that her husband understood that she would not tolerate a relapse to further gambling and abusive behaviour.

The fifth respondent in this group was critical of the Court and court counselling process and indicated that she believed that there should have been a greater emphasis on the contact parent cooperating in a gradual reintroduction process that was focused on the children being comfortable with overnight contact. At the same time this respondent indicated that the counselling had assisted her to be more objective and tolerant of his behaviour.

## **FACTORS THAT CONTRIBUTED TO MALE CLIENTS' REPORTING IMPROVED PERSONAL CIRCUMSTANCES**

### **Much better (Male participants):**

Two out of fifteen or 13% of male participants reported that their emotional well being was much better. The theme that linked both cases was the perception that the children's arrangements were working well.

One of the respondents had started out with custody of two adolescent children. He reported great satisfaction with his post separation relationship with both children, but frustration with the community support systems for male custodial parents. He said that he had been told that he was not eligible for emergency housing assistance, after he moved out of the family home with two teenage children. He, however, indicated that

he had received a lot of support from family and friends. This respondent also indicated that one of the children had recently gone back to live with his ex-partner and both children had made their own decisions to live in separate households.

The other respondent in this group indicated that his ex-partner was a volatile person and she had physically abused him and the children but, although he found it extremely difficult to deal with his ex-partner, the violence was not a major issue. This respondent indicated that he had found court counselling very helpful in assisting him to deal more effectively with the ex-partner's difficult behaviour and to be a more effective parent to their three children. Thus, whilst the respondent indicated that if anything his ex-partners' behaviour and his relationship with her had got worse, he felt much better because he was dealing with the situation much more effectively. He also indicated it was better because he had been seeing the children regularly and had achieved a slight increase in his access time.

#### **Improved (Male participants):**

Two out of fifteen or 13% of male respondents also indicated improvement for themselves personally. Thus four out of fifteen or 27% of the males interviewed reported positive improvements for themselves over the past 8 to 9 months compared to ten out of twenty five or 40% of the female respondents reporting positive changes.

Both respondents in this improved group also indicated that the establishment of a regular contact pattern was the main reason for the improvement. One indicated that by the time they had attended counselling at the Family Court the solicitors had successfully negotiated the arrangements for the child and a consent order was obtained just after the counselling. This respondent indicated that the negotiated access arrangements had been maintained over the ensuing eight months

In the other case the respondent indicated that it had been very acrimonious between himself and his ex-partner, although an agreement for access had been negotiated with the assistance of counselling, and the solicitors. Consequently over the last three months or so a regular pattern of contact with his child had been established, which had allowed him to feel much better about things.



## **FACTORS THAT CONTRIBUTED TO REPORTING A DETERIORATION IN THEIR PERSONAL CIRCUMSTANCES**

It can be seen from Table 6.1 that a small majority of respondents (21 out of 40 or 52.5%) reported a deterioration in their personal sense of well being over the 8 to 9 month period since the initial survey questionnaire had been completed. This high incidence of deterioration was even more pronounced with the male respondents with nine out of fifteen or 60% reporting deterioration. Comparatively the female respondents' reported more favourable personal outcomes with twelve out of twenty five or 48% reporting deterioration in their personal well being.

### **FEMALE CLIENTS**

#### **Worse**

Six out of twenty five or 25% of the female respondents rated their personal sense of well being as worse in their follow-up telephone interview. All six respondents provided an account of problems associated with high levels of conflict between themselves and their ex-partner.

In three out of the six cases the respondent's account included reports of very serious physical violence including one case involving repeated episodes of sexual abuse. In the other three cases verbal abuse and psychological abuse had reportedly been a problem and in two of these cases protracted litigation in relation to children and property issues had been instrumental in contributing to a serious pattern of escalating conflict. Thus serious levels of abuse and high conflict between the spouses was a prominent unifying pattern in the accounts of the women that reported a worsening of their well being.

Two other issues that seemed to be of some significance in contributing to this reported deterioration in well being was financial stress and reported child distress. The reported financial distress was mostly related to legal costs and the hardships caused by property settlement, an issue in at least three of the cases, while in one case the financial issue was connected to protracted disputes over pension entitlements, with both partners on

benefits and seeking the family payment. In at least three of the six cases the reported child distress seemed to be predominantly associated with parental conflict.

### **Much Worse**

Six out of twenty five or 25% of the female respondents rated their personal sense of well being as much worse in their follow-up telephone interview. All six respondents provided an account that was characterised by extreme levels of conflict and abuse, which had continued to be a problem over the follow-up period. Almost all, five out of the six, reported episodes of physical abuse, some of which was reportedly very serious, fear provoking, and resulted in actual physical injuries requiring medical treatment.

There were obvious similarities between this group and the issues raised by the group, which rated their personal circumstances as having changed for the worse, with ongoing harassment by the ex-partner and heated conflict over a range of issues common to both groups. There was, however, a particularly disturbing difference between the two groups with all six respondents in the much worse rating group indicating serious concerns in relation to the well being of their children.

All six respondents indicated that there were ongoing disputes between themselves and their ex-partners in relation to the custody and access arrangements for the children. In two cases ongoing litigation was reported. One case in which the respondent reported that she had been trying to reduce the contact arrangements from twice a week to a traditional every second weekend pattern, because of the children's symptomatic acting out behaviour. In the second case litigation in relation to the custody and property settlement had reportedly gone to a full judicial hearing. In this later case, however, conflict directly involving the children had continued because of the other partner's hostile reaction to the expert witness evidence, which had not supported his argument for custody. In both of these cases it had been reported that there had been a long history of very extensive psychological abuse, extreme levels of harassment, but not a lot of physical abuse.

In the other four cases parenting agreements including consent orders had not resolved the problems. In all four cases long histories of violence and abusive behaviour were

reported, including allegations of serious physical assaults and chronic alcohol problems with ongoing harassment and abuse since separation. Despite these serious abusive problems in all four cases custody was divided with some of the children living with the other party. In two cases the respondent reported concerns that the male children of the marriage (age range of 11 to 15 years) were becoming much more abusive towards them in a similar pattern to the way their fathers had behaved in the marriage.

In all six cases the respondents were very pessimistic about the future and could not foresee an end to the conflict other than to rebuild their own lives and let go of the hope of maintaining contact with the children that lived with their fathers.

## **MALE CLIENTS**

### **Worse**

Three out of fifteen or 20 % of the male respondents indicated that their personal circumstances had deteriorated since the survey month. Each of the respondents had a different account of their problems with the only common theme being not being able to see their children often, if at all.

One said that his ex-partner had denied him contact with the children, one of which had a mild developmental delay, but he had decided not to contest the issue, because of the distress the conflict seemed to cause the children. This respondent indicated that he believed that the problem might be resolvable through counselling, but the counselling would have to be much more in depth than the free problem focused counselling available through the Court

The other two respondents had different accounts, but shared a common sense of powerlessness. One had only the one child, a 14-year daughter of the marriage, who lived with the mother and they had recently moved away from the region. There was an agreement for monthly contact, because of the distance between households, but the other side had reportedly never complied with this consent order. He reported that it had been several months since the last contact visit at the time of the follow-up telephone interview.

In the other case there were three young children of the marriage between the ages of seven years and two years, the youngest of which had been born after the separation. The respondent reported that he had never been able to achieve an agreement with his ex-partner that would allow him to have contact with the two year old, but had been seeing the other two children on a weekly basis for a while. The respondent argued that it was his belief that his ex-partner's solicitor had encouraged her to go back on her agreement, which had been worked out in counselling, and only allow every second week-end contact to the two older children. He said he was very frustrated that a lawyer should be able to undermine their contact arrangement and at the same time encourage his client to argue for 80 % of the property forcing the matter to Court.

### **Much Worse**

Six out of fifteen or 40 % of male respondents indicated that their personal circumstances had deteriorated to a considerable extent since the survey month and rated their personal situation as much worse. The only theme common to all six cases was reports of long standing problems and disputes over contact arrangements. These problems were still continuing and the individual reports indicated that respondents were having little or no contact with their children. All six of this group reported strong negative feelings most commonly high levels of anger and frustration. In three cases the respondents acknowledge having been depressed and or having a general sense of not coping well with the process of separation.

One respondent acknowledged that the separation had been extremely difficult for him to accept and he had, at his worst, behaved violently towards his ex-partner's new partner. This respondent also said that he might have contributed to his own problems by having misused visits to see the children as an opportunity to see his ex-partner. The other respondents' accounts had a noticeable absence of any acknowledgment of personal contribution to the problems with respondents blaming the legal system, and or their ex-partners, for their distress and contact problems.

In two cases the respondents made an issue of the misuse of Apprehended Violence Orders (AVO). They argued that the AVO's had been used to prevent contact with children or to frustrate their attempts to negotiate arrangements. Both argued that that

the AVO's had been unnecessary, although one acknowledged some violence had occurred "a little bit on my side". With the exception of the respondent who identified his own inability to cope with the separation, which included having behaved violently towards the other parties' new partner, respondents did not acknowledge violent behaviour. Although four out of the six respondents suggested that their ex-partner had been violent or abusive.

All respondents in this group reported that their ex-partners had behaved in ways that had undermined their relationship with the children. Most indicated a belief that the ex-partner had intentionally been "brain washing" to turn the children against them and, in some cases, to take the mother's side in disputed issues. This group was also critical of the Court conciliation process and four out of the six said that Court counselling and/or Deputy Registrar conferences had been unhelpful or had made things worse. All six respondents made comments that indicated a belief that the "legal system" favoured women and that their concerns had not received a fair hearing, or their attempts to achieve a "fair" outcome had been frustrated by the system.

## **THE CLIENTS' PERCEPTION OF THEIR CHILDREN'S ADJUSTMENT**

The clients were asked during the follow up interview about how things had changed for their children since their involvement with court counselling and to rate the changes. "Do you think that things for the children are much better, improved, about the same, worse or much worse?" The responses to this question are shown below in Table 6.2

<b>Change</b>	<b>Male (n=15)</b>	<b>Female (n=25)</b>	<b>Total (n=40)</b>
Much Better	nil	4 (16%)	4 (10 %)
Improved	2 (13.33%)	4 (16%)	6 (15 %)
About the Same	3 (20.00%)	3 (12%)	6 (15 %)
Worse	7 (46.66%)	4 (16%)	11 (27%)
Much Worse	3 (20.00%)	10 (40%)	13 (32.5%)
Total	15 (100%)	25 (100%)	40 (100%)

**TABLE 6.2 Children's Adjustment**

## **FACTORS THAT CONTRIBUTED TO CLIENTS' REPORTING IMPROVEMENT IN THE CHILDREN'S ADJUSTMENT**

It can be seen that only ten out of forty or 25 % of the respondents indicated that they believed the situation had improved for their children since they had attended court counselling in July or since an earlier time, if this had not been their first counselling appointment. Women had, as might be anticipated, a more optimistic view with 32% reporting improvement compared to only 13% of men reporting improvement.

Men were slightly more likely to report deterioration in their children's well being (56% compared to 67% for women), although both genders were decisively pessimistic about their children's well being as a consequence of the legal dispute and Court counselling intervention, while women were much more likely to rate the children's well being as being much worse (40% compared to 20 % for men).

### **FEMALE CLIENTS**

#### **Much better**

Four out of twenty five or 16 % of the female respondents indicated that they considered that things for their children were much better. In all four cases some changes in the level of conflict had occurred, but this was reportedly a result of the parents having little or no direct communication with each other. In three cases it was reported that the children were having regular contact with the other parent and they seemed to be responding to the predictability of the arrangements. These same three respondents also reported that there had been significant improvements in the children's relationship with the other parent and they considered that the other parent was now more "child focused".

In the other case the respondent reported that the other parent had a gambling problem, had been abusive, and was still behaved inappropriately with the children. She reported, however, that the children were much better because they were no longer exposed to parental conflict. This respondent expressed the view that the children had

benefited from independent counselling she had arranged for them and as a consequence they seemed to be much better adjusted.

### **Improved**

A further four out of twenty five or 16 % of women rated things for their children as improved. The theme common to all four respondents in this group was that there had been changes that had left their children less exposed to parental conflict and the anger of the other parent. For one respondent taking out an AVO was reportedly the intervention that made a difference allowing the heated conflict to subside. For another it was reportedly the end of an extended period of high conflict, which included protracted litigation, with the other parent giving up the legal battle. For the remaining two cases there seemed to have been no specific events other than the passage of time, which had allowed for the reduction in parental conflict to occur, although in one case it had reportedly been a full ten years since the separation.

## **MALE CLIENTS**

### **Much better:**

None of the fifteen male respondents in the follow-up interviews rated the changes for the children as being much better.

### **Improved:**

Two out of fifteen or 13.33% of the male respondents indicated that, in their view, things for the children had improved since the survey month. In both cases the respondents reported that contact arrangements had been worked out at around the time of the counselling and these arrangements, after seven-months or so, had become an established routine. Consequently both respondents reported that there had been significant improvement in their relationship with the children and this had allowed the children to become more settled and adjusted to the situation.

# **FACTORS THAT CONTRIBUTED TO CLIENTS' REPORTING A DETERIORATION IN THEIR CHILDRENS' CIRCUMSTANCES**

## **FEMALE CLIENTS**

### **Worse**

Four out of twenty five or 16% of female respondents reported that things for their children had become worse over the time since the survey month. In two out of the four cases there was continuing litigation in relation to property and children's issues. In these cases it was reported that the children were worried because of their knowledge of this conflict, including concerns that they may have to move away from friends. Concerns in relation to exposure to episodes of heated conflict or denigration of the other parent were also referred to as major problems for the children. In one of these litigation cases a long history of spouse abuse was reported. It was further reported that an abusive pattern of behaviour was continuing, which included inappropriate involvement of children in the adult conflict and psychological abuse of the children in other ways.

In the remaining two cases the litigation had not been proceeded with, but there were similar ongoing problems. Both respondents reported an extensive history of spouse abuse. One reported that there was an ongoing pattern of denigration of her by the ex-partner and his family. In the other case inappropriate behaviour in front of the children and failure to respond to the children's needs was reported as the main problem for the children. This respondent reported that the children's father was a heavy drug user and the children found his home environment unpleasant and confusing

### **Much Worse**

A substantial minority of women, ten out of twenty five or 40%, rated things for their children to be much worse. Nine out of the ten respondents raised spouse abuse as a significant issue. In seven of these nine cases episodes of physical abuse were reported and one also included a pattern of systematic sexual abuse. Although most reported having little or no contact with their ex-partners and thus very limited opportunities for the ex-partners to abuse them most saw their ex-partners' abusive behaviour as a major contributing factor in their children's distress.



In six of the ten cases ongoing extreme conflict in relation to a range of issues stood out as the major theme in the respondents' account. In four of the cases the respondents' report indicated that there had been protracted litigation in relation to the children, whilst in the other two cases the legal disputes related to property issues.

In one case, in which there was a protracted dispute over contact arrangements, it was reported that the children had found contact to be a most unpleasant experience. The children were said to have been subjected to constant denigration of the mother and her family by the father. It was also reported that the children had witnessed their father's scary aggressive behaviour on numerous occasions and were very afraid that Dad might hurt Mum or them. In another case a custody dispute was reported to have been resolved by an agreement in a legal aid conference just prior to the hearing. The respondent reported that she had reluctantly agreed to let the two older children a 14-year-old and a 13-year-old live with their father with the youngest child staying in her care. The respondent said that despite this agreement her ex-partner had not complied with any of the conditions he agreed to, when the terms of settlement were written up and consent orders made.

In the other two litigation cases the respondents' reports indicated that the property issues seemed to be the other parents primary focus during the litigation. In one case it had been reported that the ex-partner was a high profile family lawyer and he had litigated aggressively over the property, but as a consequence all three children were very hurt by their father's actions and angry with him.

In the fourth litigation case the respondent reported a pattern of the other party, being totally focused on hurting her. She indicated that it was her belief that there was not going to be much money left after the legal bills had been paid, but her ex-partner refused to negotiate in counselling and court conferences.

In all the other cases disputes were continuing but, for various reasons, litigation had not been continued. In a couple of cases there were reports of ongoing contact problems with the children periodically getting caught up in the adult conflict or reacting to the extra stress when angry arguments resurfaced between the parents. In

these cases the dispute seemed to be driven by the parents' conflictual relationship and both parties were essentially supportive of the children going on contact. Although the conflict in these cases was not a constant problem the parents reported that the children seemed to be experiencing some adjustment problems, because there was always a degree of uncertainty.

In two further cases the respondents reported that their ex-partners were very unpredictable and often did not show up for contact or made last minute changes. In both cases, for extended periods of time, the ex-partners had without explanation stopped showing up to collect the children for contact and the dispute between the parents was more related to trying to establish a predictable contact plan. The children reportedly had unresolved anger problems and rejection feelings.

In four cases there had been changes in the residential arrangements. In three cases at least one of the children had gone to live with the father and a further case in which both children had gone to live with the father. In two of the four cases it had been several years since the parents separation. Thus the motivation to seek a change in residence may have arisen as a consequence of the children's feelings, with past conflict having possibly disrupted contact and the children's desire to have a closer relationship with the father prompting the changes.

One respondent indicated that she had agreed to allow their two adolescent boys to stay with the father for an extended period of several weeks. She said, however, that she had no idea that there had been a plan for the boys to stay indefinitely and hence she was concerned about the underhand way it had been arranged between the boys and their father. In the other three cases the respondents' accounts indicated a pattern in which there was an alignment of the children with one of the parents. All reported deterioration in the relationship between the children, irrespective of whether or not there had been continuing contact problems reported.

## MALE CLIENTS

### Worse

This was a popular response for the male respondents with seven out of fifteen or 47% indicating that in their view things for the children had got worse. The most common factor raised to explain a deterioration in the children's well being was contact problems, with four out of the seven respondents indicating that they believed the children were suffering, because they did not have sufficient contact with themselves.

Of the four cases in which contact was raised as the main problem for the children distance was a major contributing difficulty in one case, with the mother having moved to Sydney from the Newcastle area and the children had reportedly elected to live with the mother. In a second case the parents were from different religions and this seemed to be central to a number of other differences between the parents on parenting matters. This particular respondent also argued that the other parent had continued to undermine his relationship with his 5-year-old son, the only child of the marriage, since the separation and had told the child that he had left because he did not love "them".

In the other two cases the respondents' accounts indicated a firm belief that the ex-partner was intentionally undermining and trying to prevent contact. In one of the cases the respondent's argument was fairly convincing. This respondent indicated that his ex-partner had inferred that he had behaved inappropriately with their handicapped son, when he pressed the issue of contact. Consequently he indicated that he had only been successful in arranging brief supervised contact with the children with the assistance of a private agency. This respondent said that he had withdrawn his application for defined contact, because proceeding would have only created a lot more pressure for the children and he did not expect his ex-partner to change. The other respondent reported that he had not seen the children for a full six months, before taking the matter to Court. In the time leading up to the Court intervention this respondent reported that there had been an escalation in heated arguing, which was largely due to the interference of the ex-partner's new boyfriend.

The remaining three respondents all had different accounts of the problems for the children. One respondent acknowledged a degree of personal responsibility, because of his angry behaviour. This respondent reported that the separation had been very traumatic for him and he had behaved in a hurt angry way and this culminated in him assaulting the ex-partner's new boyfriend. Distance had subsequently become a problem as well with the ex-partner and the two children having moved from the central coast of NSW to Queensland. This respondent also acknowledged having initially used contact with the children to see his ex-partner. He reported that he believed that the children were worse off because they now had a distant relationship with him. A further respondent reported that his ex-partner's expectation for their only child had created the main problem. This child of 10 years was reportedly expected to attend martial arts lessons, various language classes, and a number of other extra curricular sporting and cultural activities, which left no time for leisure let alone contact. This respondent considered that part of the problem was the low priority his ex-partner placed on the child having quality time with him.

In the last case in this group the respondent stated that it was his belief that most of the problems had been caused by the social security and welfare systems. In this case the respondent said that he was the partner who had been forced into making the move from the family home to establish a household for himself and two teenage children. He argued that he could not get any financial or other assistance or help from the social security system, partly because of his gender. The respondent said that damage had been done to the children's relationship with their mother and they seemed to blame her for the early difficulties and hardship.

### **Much Worse**

Three out of fifteen or 20% of the male respondents reported that things for the children had markedly deteriorated over the follow-up period and rated the situation for the children as being much worse. All three respondents rated their relationship with ex-partners as having become much worse as well. All three respondents reported a pattern of contact difficulties combined with a highly conflictual and acrimonious relationship with the ex-partner.

One respondent also reported that he believed his ex-partner's solicitor seemed to be part of the problem and had allegedly advised his ex-partner to reduce the contact time and argue for 80% of the property. This respondent identified this whole litigation process as destructive, especially for his relationship with the children. He, however, indicated that he did not know how to put an end to the process before a hearing, unless his ex-partner was prepared to be reasonable and try to negotiate.

One respondent argued that the other parent was determined to destroy his relationship with the children. He reported that his ex-partner had misused the AVO process to make it difficult for him to see his child. This respondent reported that the child was distant, at times moody, and had become very aggressive in his behaviour. The respondent indicated that he was not able to have telephone contact, because of the AVO and there was no clear arrangement for regular visits.

In this particular case the respondent was one of the very few to make any acknowledgment of violent behaviour in the follow-up interview, although a number accused the ex-partners of violent behaviour. He reported "a little bit on my side before separation, some physical. Fighting to keep the relationship together". Although follow-up data was not obtained from the ex-partner a research questionnaire was completed by her and she reported that the violence had commenced within weeks of the start of the relationship, while her completed conflict tactics scale included reports of very serious violence, including beatings that required medical treatment and threats with a weapon.

In the other case both parties completed research questionnaires which clearly indicated that there had been no significant levels of abusive behaviour reported by either. However distance was a complicating factor with the 7-year -old child and the mother living in Canberra and the respondent father residing in Sydney. The respondent, however, reported that the ex-partner was still making it difficult for him and the last contact had taken place immediately after a counselling session, but nothing had been offered since counselling a period of some 5 to 6 months. The respondent thus

indicated that he believed that his ex-partner might make an arrangement to look good in front of others, but at heart did not want to support contact.

## **THE CLIENTS' PERCEPTION OF THEIR RELATIONSHIP WITH THE EX-PARTNER**

Table 6.3 shows details of the respondents' ratings of the changes in their relationship with ex-partners. It can be seen that only five or 12.5% of the respondents reported an improvement in this relationship and there would seem to be no gender difference, with two or 13.33% of the men and three or 12% the women reporting improvement. It will be seen from the tables that there is a significant gender difference with respect to the likelihood of reporting no change with twelve women or 48% reporting the relationship with their ex-partner being about the same compared to three men or 20%. There is also a corresponding gender difference with men reporting a much higher incidence of deterioration in the relationship with their ex-partners, especially in the much worse rating category. Almost half of the males, 7 or 46.66% said the relationship with the ex-partner as much worse compared to only 4 or 16% of the women.

This difference is not unexpected, because very few children in the follow-up sample or in the much larger total sample were in the custody (primary residential care) of their fathers. The above discussion would already suggest that the males were much more focused on their relationship with ex-partners, because this was perceived to be a major impasse to resolving contact problems. Correspondingly the women, because of their role as primary carers, were more exposed to the children's distress and more focused on the their own relationship with the children

<b>Change</b>	<b>Male (n=15)</b>	<b>Female (n=25)</b>	<b>Total (n=40)</b>
Much Better	nil	1 (4.00%)	1 (2.5%)
Improved	2 (13.33%)	2 (8.00%)	4 (10%)
About the Same	3 (20.00%)	12 (48.00%)	15 (50 %)
Worse	3 (20.00%)	6 (24.00%)	9 (22.5%)
Much Worse	7 (46.66%)	4 (40.00%)	11 (27.5%)
Total	15 (100%)	25 (16.00%)	40 (100%)

**TABLE 6.3 Relationship with Ex-Partner**

## **CHANGES TO BEHAVIOUR AS A CONSEQUENCE OF COUNSELLING**

The clients were asked a sequence of questions about the perceived outcome of counselling. Initially they were asked a specific question about changes in violent and abusive behaviour. They were asked “Did the counselling make any difference to the violent behaviour? And if so, in what way?”

The majority of respondents indicated that there had been no behavioural changes with respect to violent or abusive behaviour as a result of counselling. Most reported that the question of inappropriate or abusive behaviour did not come up as an issue during the counselling. A couple of respondents also indicated that in their view there was no issue and that violent or abusive behaviour had not been a concern.

Behaviour changes reported as a result of the counselling intervention were in both directions. Close to equal numbers reported positive and negative changes. In total thirteen out of forty or 33% of respondents reported changes to violent behaviour as a result of the counselling intervention, with six reporting positive changes or outcomes and seven reporting negative changes or outcomes.

### **REPORTED NEGATIVE CHANGES IN BEHAVIOUR**

All seven respondents in this group were women and their responses fell logically into two categories. A group of five who said that the abuse got worse because their ex-partners’ abusive behaviour came up as an issue in counselling and two respondents who were critical because their concerns in relation to the ex-partners’ past behaviour were not listened to or dealt with in some way.

In two cases the respondents indicated that, because the issue of their violence had been raised in counselling, the ex-partner got angry after the counselling session and paid them back in some way. However, at the same time during the session it was reported that the ex-partners denied that they had behaved violently and asserted that they were not the problem but the innocent victims. In a further case, because the respondent was

reportedly representing the interests of the children who were angry about the father's behaviour during contact, it was the children who were the subject of the father's wrath and accused of disloyalty in telling mum. In a further case it was reported that the ex-partner had become very verbally abusive and threatening in his behaviour during the counselling session itself, because the session was not being conducted to his liking.

In the fifth case the respondent reported that the abuse, whilst it had always been extremely unpleasant, had never included physical abuse. It was, thus, reported that there had been escalation in emotional and verbal abuse as a consequence of discussing issues in counselling. However, it was also reported that some progress towards resolving issues in conflict was achieved during the counselling sessions.

Two respondents reported that the counsellor ignored the issue of past violence when they raised it in counselling. One said that the issue was not discussed in counselling and the behaviour got worse after the counselling was concluded. This respondent, however, indicated that they did not believe the counselling had any bearing on this escalation in the abuse. The respondent reported that the counsellor had talked to the children briefly and encouraged her to allow the children to stay with the father, as the children had already overstayed an extended trial period with him. The respondent understandably reported feeling that everything was stacked against her. In the second case the respondent was critical of the counsellor who reportedly said that they were there to deal with the access question and refused to allow a focus on past behaviour.

## **REPORTED POSITIVE CHANGES IN BEHAVIOUR**

Of the six respondents reporting positive changes to violent behaviour as a consequence of the counselling three were male and three were female. Two of the men said that the counselling had helped them. One respondent indicated that the counselling seemed to help them both calm down and discuss issues more productively. A further male respondent said that the counselling had helped him to become more aware of his own behaviour. The third male gave a completely different response and said the counselling had helped, by removing the need for them to negotiate directly about access arrangements, having worked out a comprehensive plan in counselling.



One of the women reported less verbal abuse as a consequence of discussing issues in counselling. A second indicated that things had improved briefly after counselling. The third respondent indicated that there was not much change in her ex-partner's behaviour. However, for this respondent it was helpful, because the counsellor had identified the problem and acknowledged her concerns.

## OTHER CHANGES AS A CONSEQUENCE OF COUNSELLING

The respondents were also asked a general question about their perception of how things had changed since their attendance at counselling. They were asked...“As a result of counselling did things get, much better, improved, stay about the same, worse or much worse?”

The responses to this question are shown below in Table 6.4. It can be seen that almost half of the sample, nineteen or 47.5%, indicated that things were about the same. Somewhat unexpectedly more responders indicated negative outcomes thirteen or 32.5% compared to eight or 20% reporting improvement. Women also unexpectedly seemed to have a more negative view on the counselling with ten or 40% reporting things got worse.

Change	Male	Female	Cumulative percent
Much Better	Nil	<b>1 (4.00%)</b>	<b>1 (2.50%)</b>
Improved	<b>3 (20.00%)</b>	<b>4 (16.00%)</b>	<b>7 (17.50%)</b>
About the Same	<b>9 (60.00%)</b>	<b>10 (40.00%)</b>	<b>19 (47.50%)</b>
Worse	<b>2(13.33%)</b>	<b>8 (32.00%)</b>	<b>10 (25.00%)</b>
Much Worse	<b>1 (.6.66%)</b>	<b>2 (8.00%)</b>	<b>3 (7.50%)</b>
Total	<b>15 (100%)</b>	<b>25 (100%)</b>	<b>40 (100%)</b>

**Table 6.4 Changes As A Result Of Counselling**

## **REPORTED NEGATIVE CONSEQUENCES OF THE COUNSELLING**

### **Worse Male Respondents**

Two men or 13% of the male respondents reported that things had got worse since the survey month as a consequence of counselling. The comments by both of these responders suggested that they tended to blame the ex-partner for this unsatisfactory outcome. One commented that "counselling has its place and is useful for some, but did not help me at all. Counselling ended up being a bitch session for my ex-wife and was totally unproductive". The other male respondent reported that "My experience was not great—what is reasonable access? In my situation the counselling assistance not being helpful may have had a lot to do with the ex-partners attitude."

### **Worse Female Respondents**

Significantly more women eight or 32% of the female respondents reported that things had got worse since the survey month as a consequence of counselling. As with the male respondents there was a tendency to blame the ex-partner for this unsatisfactory outcome. It was most evident from the comments made by three out of the eight women that they did not blame the counsellor or the counselling for the unsatisfactory outcome, but considered that the main problem was the ex-partner, who had not cooperated with the process. One respondent commented most favourably about the counselling and said "court counselling helped me a lot personally." However she said "many problems continued with the ex-partners' behaviour that no one could do anything about".

Another respondent said that the counselling had "helped at the personal level" and she had also found it helpful in terms of her parenting. This respondent was, thus, very positive about the counselling service despite ongoing problems, which were from her perspective, generated by her ex-partner. Another respondent indicated that she was concerned about her ex-partners non-compliance with consent orders for her to have contact with the children living with him. She indicated that the problem was her ex-partners' non-compliance with the process and he had failed to turn up for counselling

to deal with the problems and been allowed to avoid dealing with the underlying children's issues.

A further two respondents were critical of the court process rather than court counselling in their comments. One respondent indicated that she thought that the counselling was fine, but the litigation process seemed to contribute too things getting worse. This respondent said that she found the custody evaluation interviews and the process of completing the family report very helpful. She said that the counsellor had something to say in relation to the children. She commented that the process of preparing the family report had resulted in the matter settling and the report not even being written. The respondent said, "this process should have happened earlier". A further respondent was critical of the system of conciliation counselling to achieve agreement and asserted that counsellors were toothless tigers; "they do not confront the problems, they do not have any clout to protect children".

A group of three out of the eight responders in this category were critical of the counsellors and argued that they were biased or favoured their ex-partners. For two respondents the gender of the counsellor was an issue. One respondent said that she had found the counselling unhelpful and commented that she had seen two different counsellors, who were both male, and she would have preferred to have had a female counsellor. A second respondent said that she had seen a female and a male court counsellor, on different occasions, and had felt that the male counsellor sided too much with her ex-partner. The other respondent just simply indicated that the counsellor did not seem interested in her side of things and she had felt under pressure to make an agreement.

### **Much worse**

Two women or 8% of the female respondents and one male respondent indicated that as a result of counselling things got much worse. One of the female respondents was primarily critical of the process. She indicated that she felt victimised by the system with an ex-partner determined to litigate and do everything possible to make her life a misery. She said that her ex-partner had no financial or other incentive to resolve the

dispute. She was especially critical of the system that required them to see a new counsellor to complete the report for court and she felt it was wrong that the evidence of her ex-partner's manipulative and abusive behaviour known to the privileged counsellor could not be used in evidence.

The other female respondent blamed the ex-partner in part for things getting much worse alleging that he had "got his sister to bash me". This person also reported a mixed experience of counselling. Having seen a couple of counsellors, she reported that "one counsellor seemed to be too much on the partner's side". This respondent also implied that her experience with the other counsellor was reasonably positive and she indicated that she would recommend court counselling to others.

The only male respondent to report things having got much worse as a result of counselling reported that counsellor bias was the main problem. He said, "I was not happy about the approach of the female counsellor. In the one session I had she seemed to spend 90% of the time listening to my partner." This respondent added "the situation was not helped by the fact that my ex-partner had said that if I said anything during counselling that displeased her she would go back on any access agreements".

## **REPORTED POSITIVE CONSEQUENCES OF THE COUNSELLING**

### **Much better**

Only the one female respondent reported that things had got much better as a result of the counselling. She said that counselling had helped to clarify access arrangements so that she did not have to negotiate or interact with the ex-partner. She said that there had been violence in the relationship and her ex-partner had not changed very much. However, the respondent said the main barrier had been threats to kill her and the child and it was only since the counselling that she had started to become confident that her ex-partner was not going to carry out the threats.

### **Improved**

In all seven individuals or 18% indicated that things had improved. The seven comprised three men or 29% of the male respondents and four women or 16% of the female respondents. All three male respondents reported continuing problems with their ex-partners. Their accounts were also similar from the perspective that the reported improvements seemed to have little to do with resolving disputes with their ex-partners, which is the purpose of conciliation counselling. The respondents reportedly felt better because they had achieved some insight or personal growth or other personal benefits such as having been listened to and their views understood.

One respondent reported that nothing had helped the problems over contact, but he “thought the counselling was very helpful” and now understood that his ex-partner would always have to have her own way. Another respondent reported still feeling very sad because he was not seeing the children much at all. This person reported, however, “the counselling was excellent...whilst I found the counsellor was fair and listened to us both I did not find the meeting with the registrar productive. He lectured and did not seem to hear my point of view”. In this case a dispute resolution focus would seem not to have helped the respondent. The third respondent indicated that the counselling had been the most helpful option “I am still going to court counselling. My ex has not changed, but I am able to respond differently.”

All four women reported favourable personal outcomes from court counselling with less positive outcomes in relation to dispute or conflict resolution issues. Two respondents confined their comments to court counselling and may not have had much involvement with other counselling services, while the other two respondents indicated that counselling in general had assisted them.

One respondent indicated that she had been referred by legal aid. She said “I found the counselling very helpful. I did not know the service existed...I would have come earlier if I had known that the service was available.” She said I used to be very intimidated by my husband, and the counselling had helped her to stand up to him and become more confident in relation to making decisions concerning the children. A further respondent said that the counselling had been “helpful in terms of support to

cope with the process of recovery from a marriage break-down.” She said the issues dealt with were “more personal than child related”.

One respondent, who was still considering reconciliation with her partner, said “counselling was very positive especially counselling at Relationships Australia for myself. I would have liked the Court to apply more pressure on my partner to continue the counselling process. He only attended the one court counselling session.” Another respondent indicated that she believed that things, from the perspective of her ex-partners’ behaviour and dealing with him as parent, had in fact got worse since the counselling. However, she said this was due to things other than the counselling. This respondent said that counselling had been helpful but she believed that as a first choice other relationship counselling should be tried, which is less agreement focused.

## CONCILIATION COUNSELLING AS A WAY OF RESOLVING DISPUTES

Respondents in the follow-up interviews were generally more positive in the views they expressed on counselling in general as an appropriate dispute resolution strategy than they were in their assessment of the outcomes for themselves. They were asked, “If new problems arise between you and your ex-partner would you think about coming to counselling at the Family Court again?”

Response	Male (N=15)	Female (N=25)	All Respondents (N=40)
Yes	6 (40%)	11 (44%)	17 (42.5%)
No	6 (40%)	9 (36%)	15 (37.5%)
Uncertain	3 (20%)	5 (20%)	8 (20%)
Total	15 (100%)	25 (100%)	40 (100%)

**TABLE 6.5 Would You Attend Court Counselling Again?**

The responses do not represent an overwhelming endorsement of court counselling, though many respondents who had reported unsatisfactory outcomes for themselves and their children indicated that they might be prepared to try again if there were new problems.

There was obviously much less correlation between the reported personal outcomes of respondents and the client response to the question – “Would you recommend Family Court counselling to friends or family that were experiencing problems resolving access or custody disputes?” It can be seen from the responses to this question in table 6.6 that an overwhelming majority of respondents were prepared to say they would recommend Family Court counselling to others. In many cases the respondent indicated that they had already referred friends to the service.

<b>Response</b>	<b>Male (N=15)</b>	<b>Female (N=25)</b>	<b>All Respondents (N=40)</b>
Yes	<b>11</b> (73.33%)	<b>21</b> (84%)	<b>32</b> (80%)
No	<b>4</b> (26.66%)	<b>4</b> (16%)	<b>8</b> (20%)
Total	<b>15</b> (100%)	<b>25</b> (100%)	<b>40</b> (100%)

**TABLE 6.6 Recommend Court Counselling to Others**

## **SUMMARY OF VIEWS EXPRESSED IN INTERVIEWS**

The above data would seem to support the notion that issues of violent behaviour were not systematically discussed in counselling interviews. This may often occur for very good reasons and the client interviews indicate that focussing on the issue of violent behaviour in counselling showed mixed results. Of the twenty-five women interviewed ten indicated that there had been changes in violent and abusive behaviour as a consequence of the counselling, but seven indicated that the changes were negative. Two women indicated that the ex-partner’s behaviour had become worse, because he had not been confronted in relation to the inappropriateness of his behaviour with both complaining that the counsellors had refused to listen to their concerns and had maintained a focus on negotiating agreements. The other five women said that the their ex-partners’ behaviour got worse, because the question of their violence had been discussed and they had retaliated after the interviews.

The other three women and three men indicated positive changes in behaviour had occurred. From their accounts it would seem that the changes occurred as a consequence of the counselling process for such reasons as being heard, gaining insight into their own and the partner's behaviour and reaching mutual understanding on some issues. However, the benefits of securing agreements, which did not seem to have occurred in all six cases, was a less significant contributor to the positive changes.

Almost half of the sample of forty clients in the follow-up interviews, nineteen or 47.5%, indicated that things had stayed about the same as a consequence of counselling. However, unexpectedly more clients indicated negative outcomes, thirteen or 37.5%, compared to eight or 29% who indicated that there had been improvements. Women seemed to have the most negative view of the counselling with ten or 40% reporting things having got worse. These findings would also seem to be inconsistent with previous research conducted at the Lismore Registry of the Court (Davies et al. 1994; 1995 & Davies & Ralph, 1998). Davies & Ralph (1998) found that 80% of clients reported were satisfied with the counselling received, and 95% indicated that they would recommend the counselling to a friend.

An analysis of what the clients had to say helps to clarify this apparent conflict in the research evidence. Of the three males who indicated that things had got worse since counselling, only one blamed the counsellor and said that the counsellor was biased. The other two tended to blame their ex-partner's attitude or behaviour in counselling for things changing for the worse. They essentially seemed to be expressing the view that counselling might be a reasonable approach to the problems, but the ex-partner was not amenable to counselling.

A number of women were also critical of their partners for the poor outcome from counselling with three out of the ten blaming their partner's behaviour rather than the counselling or the counsellor for things becoming worse. In fact two of these women were reasonably complimentary in relation to the counsellor and indicated that counselling had assisted them at a personal level despite the problems getting worse. A further two women were more critical of the court process than the counselling, and their comments indicated that they felt that a family assessment approach should have



been used rather conciliation counselling, which is privileged information. Thus we are left with three out of the twenty-five women, who were critical of the counselling. All three argued that the counsellor was biased and favoured their ex-partners.

The above analysis did not include a discussion of the no change group in the various categories, which was a significant minority and with some questions close to half the sample. However, none of respondents in the 'about the same' categories blamed the counsellor or counselling for this lack of change during the eight month follow-up period. Their comments mostly reflected a belief that the problems had not changed, because the situation had not changed or their ex-partner had not changed and was incapable of change. Thus the comments made by this group were mostly positive and the remainder was at least neutral in relation to the impact of counselling on themselves and the children.

## **OTHER SOURCES OF ASSISTANCE**

Respondents were asked a couple of additional questions in relation to the usefulness of other sources. These questions were "If counselling did not seem to help much did you find anything else more helpful? And if you would not recommend court counselling what other forms of assistance would you recommend?"

There was a very distinct gender difference in the responses to these questions with the women able to recommend many more alternative sources of assistance than were the men. Alternative sources and the frequency recommended are included in the following table.

MALE RECOMMENDATIONS	FEMALE RECOMMENDATIONS
<p>Friends (3)</p> <p>Professional psychiatric or psychological counselling help(2)</p> <p>Solicitor</p> <p>Family support service &amp; parent skills training</p> <p>Litigation</p> <p>Counselling with children</p> <p>Court video information service</p> <p>Mens' group</p>	<p>Friends (8)</p> <p>AVO (7)</p> <p>Professional psychiatric or psychological counselling help(6)</p> <p>Support of Family (5)</p> <p>Solicitor (4)</p> <p>Counselling with children (3)</p> <p>Family support service &amp; parent skills training (2)</p> <p>Legal aid (2)</p> <p>Children's legal representative (2)</p> <p>Litigation</p> <p>Use of answering machine for message communication</p> <p>Keep fit</p> <p>Community health centre</p> <p>Self help work</p> <p>Supportive new partner</p> <p>Neighbours</p>

**TABLE 6.7 Recommended Alternatives To Family Court Counselling**

## **CHAPTER SEVEN**

# **OUTCOME OF RESEARCH PREDICTIONS AND HYPOTHESES, DISCUSSION AND CONCLUSIONS**

## OUTCOME OF RESEARCH PREDICTIONS AND HYPOTHESES

**1(a). It is predicted that a high incidence of both verbal/ psychological and physical abuse will be reported by both male and female respondents, which may be as high as 50% for minor physical violence and at much higher levels for psychological abuse.**

This prediction was confirmed by the results with the partner reported levels of minor violence ranging from 76% for female minor physical violence and 61% for male minor physical violence to 38% for male very serious physical violence, although the self reported incidence of physical violence was much lower (Tables 4.16 to 4.24). Similarly it will be seen from Table 4.35 that 76% of the males were reported to be at least highly abusive at the verbal and psychological level.

**1(b) *It is predicted that female respondents will report a higher frequency of their own and their partners' abusive tactics than will their respective partners.***

This prediction was not confirmed for minor and serious violence (Tables 4.19 to 4.24). The frequency of females reporting minor physical violence perpetrated by themselves (40%) and their ex-partners (61%) was not higher than that of males (57% and 76% respectively). Similarly the frequency of females reporting serious physical violence perpetrated by themselves (17%) and their ex-partners (52%) was not higher than that of males (28% and 63% respectively).

The prediction was confirmed only for very serious physical violence. More women reported very serious violence perpetrated by themselves (9%) and their ex-partners (38%) than the males did (5% and 5% respectively); when the subset of data from couples was examined similar results were obtained (Tables 5.7 to 5.12).

**2(a) *It is predicted that male violence will be more prevalent than female violence.***

The numerical data do not confirm this (Tables 4.19 to 4.24). Females reported a higher prevalence in all categories of violence from their male ex-partners than from

themselves. Males contradicted this; they reported a higher prevalence of minor and serious violence from their female ex-partners than from themselves, and an equal prevalence of very serious violence from themselves and their partners.

Comparison of the narratives and other details offered by men and women suggest that serious and very serious violence is more often directed by men to women than vice versa; the present data, however, do not permit us to determine the truth of this matter. Certainly physical violence has a much more serious impact on women than men (21% of women compared to 4% of men reported having had to seek medical treatment for injuries sustained as a consequence of their ex-partners physical violence towards them, Table 4.21). The gender differences, however, in relation to the impact of abuse are discussed in more detail later in this chapter.

***2(b) It is also predicted that in the more serious cases of physical violence perpetrated against women, which would include beatings that require medical treatment, that the female partner would perpetrate little physical abuse because of her extreme fear of her partner's behaviour (Straus, 1990b).***

The data are not sufficient for this hypothesis to be tested. Matched couple data would be required and not enough subjects were matched with their partners to allow meaningful analysis.

***(3) It is hypothesized that over 50% of our survey population of either sex will report high levels of verbal abuse and conflict and are likely to report their partners as having decision making power over them.***

The prediction that over 50% of the survey population would report high levels of verbal abuse in their relationships was confirmed (Table 4.35). However, the prediction in relation to reported decision-making power was not tested, because of the deficiency of matched couple data.

***(4) It is hypothesized that a history of the first episode of violence occurring during the first pregnancy may characterize Saunders' (1992) emotionally***

***volatile type and that it will also be an indicator of a significant escalation in violence during the separation crisis.***

This hypothesis has not been tested, because there were not sufficient matched couple data to permit typology analysis or the generation of variables which might predict the escalation of abusive behaviour during the separation crisis.

**(5) *It is hypothesized that sexual abuse is likely to be associated with physical abuse and an escalation of violence during the separation crisis.***

These hypothesized associations were also not tested, because there were insufficient data to draw conclusions on factors that might be associated with the escalation of abusive behaviour during the separation crisis.

**(6) *It is predicted that a significant number of respondents will report escalation in the range and frequency of abusive tactics employed by both partners during the separation crisis.***

This prediction was confirmed with the majority of respondents reporting some escalation in abusive behaviour (women reported that abusive behaviour increased in about 72% of their male partners during the separation crisis: the corresponding figure for increases in female abusive behaviour was 59%). Around 10% (each sex) of respondents reporting a dramatic escalation in abusive behaviour. (Table 4.42).

**(7) *It is also predicted that a number of respondents will report that physical abuse occurred for the first time during the separation crisis and associated dispute over custody or access, confirming that separation is a risk factor and trigger for violent behaviour.***

This prediction was not confirmed. It will be seen from table 4.26 that only 3% of respondents reported that the physical abuse occurred for the first time after the separation. A further 13% reported that the physical abuse had occurred for the first time close to the time of separation. These results do not seem to suggest that separation is a significant trigger or cause for physical abuse. It will be seen that other

stressful life events, such as the first pregnancy and the period of time just after the birth of the first child were much more common triggers of physical abuse.

- (8) ***It is predicted that the counsellors would report that their clients had reported high levels of male initiated violence.***

This prediction was not confirmed, with the reported prevalence rates in counselling (range in various groups 29% - 35%, mean 32% Table 4.30) is much lower than the rates reported in the client questionnaires (Table 4.19 – 4.24) where the prevalence of minor male initiated violence was 61% and serious violence 53%. The patterns of violence reported by respondents and the counsellor assessment of the likely pattern of violence in the relationship (Tables 4.31 and 4.32) would also seem to suggest higher rates than might be expected from the counsellor assessments of mutual abuse and separation triggered violence. All of this suggests that a much abuse was not disclosed during counselling/mediation sessions, even when there had been separate interviews with clients, or the violence is acknowledged but greatly minimised.

## **DISCUSSION**

### **IS THE SAMPLE TRULY REPRESENTATIVE OF COURT COUNSELLING CLIENTS?**

This research study has essentially been exploratory in nature with a number of interrelated objectives, but with the one broad and unifying goal of gathering data from a range of sources in relation to ex-partner abusive behaviour from a representative sample of court counselling clients. The collection of data from a sample of clients that was representative of clients that utilise Family Court services was an extremely important objective to ensure that the findings may be generalised to the whole population of clients who utilise court services to resolve disputes in relation to property and children.

From the analysis of the demographic data in the survey forms in Chapter 4 it is evident that data were collected from a broad cross-section of clients from the urban and rural

areas of NSW. It was, however, noted that clients from rural areas, low-income groups, and clients in defacto relationships were all slightly over-represented in the sample, while clients from non-English speaking backgrounds were under-represented in the sample. Representative sample survey research in relation to the whole United States population (Straus, Gelles & Steinmetz, 1980, Straus and Gelles, 1990a) and with regional samples in Australia (eg. Ferrante et.al. 1996) has indicated that such factors as being in a defacto relationship and in a low income group may significantly increase the probability that the person will be a victim or perpetrator of spouse abuse. It is, therefore, possible that any estimates of the prevalence of partner abuse derived from the present data may be inflated.

At the same time this under-representation was much smaller when comparisons are made between the demographic characteristics of the full sample and those subjects who completed both questionnaires. The data indicates clearly that those clients who completed and returned the research questionnaire were better educated, more likely to be in full-time employment, more likely to be employed as a professional, and in a higher income bracket compared to those subjects who did not return questionnaires.

Other research has indicated that male non-responders to violence surveys are inclined to come from violent family backgrounds, have alcohol problems, and a history of violent behaviour within the family as well as other violent offences (De Maris and Jackson 1986). This research would suggest that there may be significant responder bias in most family violence survey research with data from the more serious violent offenders being under-represented in samples, because of the likelihood that they will decline participation.

Despite the outlined limitations concerning the representativeness of the sample this research is the first study of partner abuse to utilise a representative sample design with a Family Court client population in Australia or overseas. It represents the most comprehensive study of the prevalence of a wide range of abusive behaviours undertaken to-date with a sample that is, at least, arguably representative of the population of clients who utilise family court services. Some tentative conclusions about the extent of the problem of partner abuse will thus be made, however, it will be



important to view the findings reported in this single exploratory study with a degree of caution.

## **A BRIEF COMMENT ON TERMINOLOGY**

### **INCIDENCE OR PREVALENCE**

The terms *prevalence* and *incidence* are common measurement concepts used in epidemiological and social research literature. If we refer to the prevalence of domestic violence we mean the proportion of the population who are victims of violence. In the present study a representative sample design was selected with the objective of being able to estimate the prevalence of ex-partner abuse in the population from the incidence of abuse reported by the research sample in their research questionnaires.

It will be seen from the results reported below, however, that the reported incidence of the various violent and abusive behaviours differs markedly between the different perspectives (ie self-report, ex-partner report and counsellor report). We will now attempt to address this question of prevalence and make some sense of these different results and attempt to answer the question of how we might infer the prevalence of ex-partner abuse from the conflicting incidence data.

## **THE PREVALENCE OF SPOUSE (EX-PARTNER) ABUSE**

### **EX-PARTNER ABUSIVE BEHAVIOUR BROADLY DEFINED**

It was seen from the responses to the indicator question in the demographic questionnaire that if the experience of being a victim of domestic violence is broadly defined, “have you been subjected to physical and/or emotional abuse perpetrated by the other person?”, there is a high positive response. Thus we found in the demographic questionnaire a substantial majority of clients; especially female clients report ex-partner abuse. The 80% response rate by female respondents in the present research is identical to the reported rate of male perpetration of partner abuse found in the only published overseas study with a sample of family court services clients. In this other study the sample consisted of 422 individuals (210 women and 212 men) drawn from family court service agency clients in Minneapolis and Portland (Newmark, Harrell and Salem 1995). In this study four types of abuse were measured in a questionnaire, intimidation through threats, stalking behaviour, telephone harassment, and physical abuse. The CTS was also used as a central part of this survey questionnaire.

Thus Newmark, Harrell and Salem (1995) found that 80 % of their female subjects and 72 % of the males reported partner or ex-partner abuse, as broadly defined by the questions in their survey. In our present study an identical percentage of women (80 %) reported abuse but only 61 % of men reported abuse, when they responded to the single broad indicator question. Davies et al. (1995) in their study of Family Court clients attending voluntary counselling at the Lismore Registry of the Family Court found that 69% of females and 53% of males regarded physical and/or emotional abuse as a significant issue in their lives at the time they attended for counselling. In the present study this same alternative indicator question produced a significantly lower incidence of current concerns about abuse 64% of females and 44% of males. This difference may be in large measure attributable to the significantly shorter period of time since separation of the Lismore sample of voluntary clients and hence an increased likelihood of having current as distinct from past concerns in relation to ex-partner abuse.

The evidence from these other studies of Family Court populations are consistent with the reported incidence of male abuse of 80%. It may, thus, be concluded that there is no reason to believe that the prevalence of female partner abuse and for that matter male partner abuse is not similar to this reported incidence of victimisation.

## **EX-PARTNER ABUSIVE BEHAVIOUR AS MEASURED BY THE CTS**

### **Minor to serious violence**

Most domestic violence researchers would seem to support the view that the evidence would indicate that under-reporting of violence is the main barrier to the development of accurate estimates of the prevalence of family violence (Straus and Gelles, 1990b). However, the results of the present study might question the validity of this evidence with respect to a highly conflictual separated population disputing children's and property issues in family courts.

The ex-partner reports of violence and self-reported violence showed significant divergence in the present study. In particular the self-reports of minor violence and serious violence of female respondents were unexpectedly very divergent from the male reported incidence of their female partners violence and would have been much greater again if the reported frequencies of these behaviours had been taken into account. The self-reported incidence of female minor physical violence was 40% compared to an ex-partner-reported incidence of 76% (corresponding male reported incidence rates were 57% and 61%); with respect to serious physical violence women self-reported an incidence of 17% compared to an ex-partner reported incidence of 63% (corresponding male reported incidence rates were 28% and 52%).

The above divergence in incidence rates between self-reporting and victim reporting would suggest that men are much more reliable self-reporting informants than women are. However, the above pattern in the results was reversed, when the data from a group of 20 couples was analysed in Chapter 5. In this chapter we found that the male partners self-reported an incidence rate of minor physical violence of 45% compared to the partners' reported incidence of 85%; and the corresponding rates for serious violence and very serious violence were 30% compared to 75% and 10% compared to

50%. In this analysis there was still a divergence between the self-reporting and partner reporting of the incidence rates of physical violence for the women, but it was much smaller than was the case with the reported male incidence. The corresponding reported incidence for women was 55% compared to 70%, 15% compared to 35%, and 10% compared to 0%.

Past research on representative samples of the American population have resulted in a reported incidence which indicated that physically violent acts are nearly equally committed by husbands and wives (Straus 1990b and Straus, Gelles & Steinmetz, 1980 and Straus and Gelles 1990a) with reported rates of 11.6% husband to wife and 12.4% wife to husband acts of minor physical violence reported reducing to 3.4% and 4.8% when only serious physical violence is considered.

It has also been reported that differences in violence rates by gender increase with severity (Straus & Gelles 1990b). Stets and Straus (1990a) have suggested that gender difference in reporting arise because men underreport severe assaults against their partners. This issue of social desirability bias in male reporting in particular has been recognised by various researchers and numerous strategies for adjusting data have been discussed (eg Saunders, 1991 and Sugarmen and Hotelling 1997).

Utilising data from a national probability study Szinovacz (1983) showed that there was no substitute for data based on responses from the couple and showed that estimates of the prevalence of marital violence underrated the occurrence of spouse abuse by at least 20% to 50% if couple research designs were not used. Couple research designs have also tended to confirm that agreement between couples is strongly correlated with the level of violence being reported and the higher the frequency and severity of the violence reported the greater the divergence in reporting. (Szinovacz 1983; Szinovacz & Egley, 1995; & Browning & Dutton, 1986). Browning and Dutton, (1986) in a couple study with subjects from identified violent relationships in which the husband had undergone some group treatment for violence found that the male tended to view their relationship as mutually abusive; while the wives viewed the relationships as husband violent. These gender differences in perception of violent events were reflected in responses to the CTS items. This evidence would suggest that the males' perception of mutual violence would lead to distortion in their responses to

questions about the violent tactics of their partners as distinct from distortion through a process of denial or intentional falsification.

The research evidence would suggest that female subjects are likely to be more accurate than males in their self-reports of violence, especially if their has been frequent and or severe violence reported by the women (Jouriles & O'Leary, 1985; Edelson & Brygger, 1986; Riggs et al. 1989, & Hilton et al., 1998). The couple studies, with violent and non-violent populations (Szinovacz 1983, Szinovacz & Egley, 1995 & Browning & Dutton, 1986) would also suggest that with the exception of those couples in which there has been long standing patterns of frequent and or severe violence gender bias in reporting is likely to be secondary to perpetrator bias.

In other words the most significant distortion of the results is not likely to be a consequence of gender bias, although this may well be a significant factor, but perpetrator bias whereby the greater the incidence of actual violence the greater the underreporting by the perpetrator, male or female, of their own violent behaviour.

The present findings, especially the analysis of the couple data in Chapter 5, would seem to support the research evidence discussed above. The results of the couple data analysis provide a clear indication that the woman's self-report of violence may be the more accurate, whilst there is likely to be a perpetrator bias operating at the same time which might have the greatest impact on the results. However, it is difficult to explain the pattern of results in the full research sample with a much larger disparity between self-reported and ex-partner reports of minor and serious physical violence of women. A gender pattern of results, which was reversed when the actual couple data of 20 couples, was utilised in the analysis.

One possible explanation for these findings is to be found in the work of Browning and Dutton, (1986), reported above, in which it was reported that there seemed to be a tendency for men to view their violent relationships as mutually abusive; while the wives viewed the relationships as husband violent. Under the extreme emotional distress of separation and divorce and caught in a pattern of escalating conflict in an adversarial court system it is possible that this tendency, if a common gender

difference, may be exacerbated in court populations and result in unintentional over-reporting of female violence by their ex-partners.

### **Very serious violence**

A clear message in the above discussion is that there is considerable research evidence to support a trend towards denial of violence or at least very inaccurate self-reporting as the intensity and frequency of the actual violence increases. For example Stets and Straus (1990a) using data from the national survey of American households found that the rate of severe violence was almost four times greater when the respondents were women than when they are men. Feminist researchers in particular have argued that violence is predominantly a male problem and can only be accurately measured from the accounts of women with predominantly or exclusively qualitative research methods (ie Scutt, 1983; Yllo, 1993 & Kurz, 1993).

The present research is sympathetic to some of these views, but has sought to incorporate a range of perspectives. We have set out to adopt methods that would assist in enabling the measurement of serious male violence. In the light of past research and the present findings it is considered that the most reliable method for estimating the prevalence of very serious physical male violence is to rely solely on the victim/ex-partner report. There is a possibility, however, because the uses of weapons questions were not asked in the male questionnaire, that the incidence of very serious violence perpetrated by the women might be under estimated. The estimate for women has been based on the women's own report simply because it was greater than the ex-partner report (ie 9% as distinct from 5% as reported by males in relation to ex-partners).

## **ESTIMATING THE PREVALENCE OF VERY SERIOUS PHYSICAL VIOLENCE**

<b>VERY SERIOUS VIOLENCE</b>	<b>MALE</b>	<b>38%</b>
	<b>FEMALES</b>	<b>9%</b>

## **ESTIMATING THE PREVALENCE OF MINOR AND SERIOUS PHYSICAL VIOLENCE**

There is certainly no simple solution to the task of estimating the prevalence of minor and serious violence. Couple researchers (Szinovacz 1983, Szinovacz & Egley, 1995 & Browning & Dutton, 1986) have tended to report their findings by averaging the self-report and partner report data. Although the bulk of the present data is not from couples this approach would seem to provide a reliable conservative estimate.

Using this method we would arrive at the following estimates of the prevalence of ex-partner physical violence.

<b>MINOR PHYSICAL VIOLENCE</b>	<b>MALES</b>	<b>59% (range 61% to 57%)</b>
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	<b>FEMALES</b>	<b>58% (range 76% to 40%)</b>
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<b>SERIOUS VIOLENCE</b>	<b>MALES</b>	<b>40% (range 52% to 28%)</b>
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	<b>FEMALES</b>	<b>40% (range 63% to 17%)</b>
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## **VERBAL AND PSYCHOLOGICAL ABUSE**

We have already discussed the difficulties experienced in trying to decide upon an appropriate method to assess verbal and psychological abuse in the present study, because of the lack of reliable instruments. These difficulties were further complicated because all the available instruments, including individual items developed for use in the multitude of research studies that have attempted to measure spouse abuse utilising a broad definition of violence, have been based on feminist research. Thus although we have modified a scale for men to report their experience of abuse by eliminating items that were very obviously gender specific a significant gender bias is likely to remain.

We know that men's experience of verbal abuse is different to women and in particular men would seem to be less likely than women to report verbal aggression in their relationships (Straus & Sweet, 1992), but these gender differences have not been explored in research studies, which have in the main focused on the women's experience. We also know that there is a strong positive correlation between physical violence and verbal and psychological abuse. The relationship between the two forms of abuse being that physical abuse does not occur in the absence of verbal abuse they go hand in hand (Tolman, 1989 & Murphy & Cascardi, 1993). A major reason for seeking to measure verbal and psychological abuse is that it is a good indicator of the level of distress and heated conflict within a relationship, which may lead to physical violence with some couples, because of the problematic strategies they use to resolve conflicts (Lloyd, 1990).

The measurement of abuse and violence is also very incomplete without a comprehensive measure of verbal and psychological abuse. It must be acknowledged, however, that our present knowledge does not allow us to accurately measure the man's experience of verbal and psychological abuse and the results are likely to reflect a significant underestimate of the verbal and psychological abuse by women of their male partners.

It will be recalled from our analysis in Chapter 4 that based on an average cut off score of 3 on the 5-point scale some 76% of men and 49% of women would be classified as routinely using high levels of verbal and psychological abuse in their interactions with their partners. From an alternative perspective it can be seen that when the remaining subjects are classified into the moderately abusive and mild/no abuse categories we discover that 6% of men and 7% of women fall into the mild abuse category.

## **PREVALENCE OF HIGH CONFLICT COUPLES**

It is not unreasonable to assume that the female level of verbal and psychological abuse should be, if assessed with an appropriate instrument, similar to the male level. It is also a reasonable assumption that if one spouse is highly abusive verbally and psychologically even if the other partner does not retaliate often the relationship is likely to be conflictual. Thus, despite the problem of the very likely under-reporting of



female verbal and psychological abuse we may still estimate the prevalence of conflict on the basis of the higher male levels of abusive behaviour.

<b>Highly conflictual</b>	<b>76%</b>
<b>Moderately Conflictual</b>	<b>18%</b>
<b>Mildly to Not Conflictual</b>	<b>6%</b>

## **TAKING GENDER DIFFERENCES INTO ACCOUNT**

The research results reported in the present research are consistent with many studies that have been conducted with the CTS and we find that women would seem to perpetrate as much physical violence as their male partners, with the possible exception of the very serious acts of physical violence. Some interpretation issues, including gender differences in reporting, have already been discussed. In this section we will focus our discussion on the differential impact and implications of violence for men and women.

## **PHYSICAL RISKS FOR WOMEN**

The question of the different victimisation consequences of spouse abuse for men and women has been extensively addressed in the literature and been the subject of heated debate (ie Scutt, 1983; & 1991; Flynn, 1990; Dobash & Dobash, 1992 & James, 1996). It is certainly no less of an emotive issue in the context of conflictual divorce disputes and consequently every effort will be made to present a balanced perspective.

One of the major issues raised in the literature has been the physical strength difference between men and women and the research evidence that would suggest that the physical risks are much greater for women. With these arguments in mind the present survey included an additional question in the CTS to expand the very serious violence questions: "Injured so badly that medical treatment had to be sought". The victim responses to this question revealed that 21% of women and 4% of men indicated that this had happened to them, suggesting that the risks of physical injury may be up to five times greater for women than men.

A higher incidence of women being injured had been anticipated and the above results are consistent with other research. For example Stets and Straus (1990a) reported that women were more likely to experience negative effects of violence than men such as being more likely to require medical treatment, take time off work and experience psychosomatic symptoms and depression. The difference in relation to requiring medical treatment was much smaller in the Stets and Straus (1990a) results from the representative American sample (3% and 0.4%). However, Cantos et. al. (1994) with a clinical sample of couples who had been referred to a treatment program for domestic violence conducted at three military bases found a much higher percentage of injuries (21% women and 4% male) coincidentally identical with the present findings.

## **ALCOHOL AND DRUG USE**

The results of the analysis in Chapter 4 revealed that based on the ex-partner reports males were more than twice as likely as women to abuse alcohol with 40% reportedly getting drunk at least frequently compared to 18% of women. A similar pattern of results was elicited to the question did the other person become angry and abusive when they drank; with it being reported that 35% of men frequently became abusive when they drank compared to 18% of women. In relation to abuse of other drugs the gender difference was significant but not as marked with 24% of men and 16% of women reportedly having abused drugs frequently or very frequently.

A strong association between alcohol abuse and spouse abuse has been well established in the literature and this strong positive correlation also extends to other forms of family violence, including child abuse (eg Gondolf, 1995; Leonard & Blane, 1992; Taylor & Leonard, 1983; Miller & Potter-Efron, 1990; & Pan et.al, 1994). Some like Levy & Brekke (1990) and Gondolf (1995) have argued that there is a critical need for professionals to integrate battering and chemical dependency treatment programs, because of the close association between severe spouse abuse and alcohol abuse so that both problems might be treated simultaneously. Some estimates of the comorbidity of wife battering and individuals requiring treatment for alcoholism have been placed at around 60% (Hayes & Emshoff, 1993).

In the light of the above research evidence the results would seem to show a disturbingly high level of alcohol abuse in the male population of clients, who utilise court services. At the same time there is certainly a significant problem for women as well and the estimated incidence rates for both genders, if accurate, would suggest that the prevalence of alcohol problems is at a level that is much higher than most other non-clinical populations. Families that attend court services would, thus, seem to constitute a high-risk group for partner and child abuse.

## **SELF-DEFENCE**

Based on the work of Saunders (1988) and others we tested the self-defensive motivations of women as a contextual factor to be considered, when interpreting the results. As was reported in Chapter 4 a significant minority of women (27%) perceived that their violent behaviour was primarily motivated by a need to defend themselves. This was a smaller percentage than had been anticipated. In Saunders original research with a sample of battered women he found that about 40% of women who had used severe violence did so in self defence, while another third indicated that it was motivated by a desire to fight back with only 3% (1 person) indicating that she initiated most of her violent behaviour. In the present study we did not explore the “fight back” motivation. There were indications from a number of the 8-9 month follow- up interviews that “fight back” may have played a part in some of the violent interaction. It was also evident from these interviews that in the more seriously violent relationships self-defence was much more likely to be a major motivator and most of these women did not utilise violent tactics, especially the group who had current or past AVO's against their former partners.

## **INCREASED PHYSICAL RISK DURING SEPARATION**

Other Australian research on domestic homicide (Wallace, 1986; Polk & Rawson, 1991 and Easteal, 1993) has shown that women are murdered predominantly by people known to them, more often than not a spouse or lover, while the time of greatest risk is during a separation or after a threat to separate. The above results and literature would seem to support the hypotheses that partner abuse is predominantly a serious problem

for women and it is predominantly women who experience a serious risk of sustaining physical injury as well as serious emotional and psychological problems (because of their experience of extreme fear and anxiety) as a consequence of the violence of a partner or ex-partner. At the same time the homicide research sighted above has also highlighted a much smaller number of cases, when women have killed their partners after a long history of victimisation and the homicide was self-defensive in nature. Thus the process of separation for some women from a violent relationship may involve extreme levels of fear and anxiety. The male experience is somewhat different and will be discussed towards the end of the chapter.

Of some concern was the level of escalation of violent tactics reported during the separation crisis in the present study. In Chapter 4, based on ex-partner reports, the data indicated that 72% of men and 59% of women increased their abuse of the ex-partner during the conflictual stages of the separation and in the case of 13% of men and 10% of women this escalation was fairly dramatic. In around 5% of these cases the escalation in the males abusive behaviour included a dramatic increase in extremely serious possibly even life threatening violent behaviour.

Some researchers have suggested that the trauma of separation might be a major trigger for violence in relationships, which had not previously been violent. For example Johnson & Campbell (1993a) in their typology of violence in disputed-custody divorce cases identified a separation and postdivorce violence group in which it was hypothesised that the violence was triggered by factors associated with the trauma of separation. However, in the present research only 3% of respondents reported that the physical violence had occurred for the first time after the separation and only a further 13% identified the period of time just prior to the separation as the point at which the physical violence occurred for the first time. With the huge majority identifying the onset of violence at a much earlier stage in the relationship.

This evidence would suggest that the trauma of separation, rather than triggering violence for the first time, tends to escalate a pre-existing pattern. As a consequence for some women separation has become a very fearful time in their lives as has been dramatically argued by a number of writers on domestic homicide (eg Eastaugh, 1993). This pattern was reflected in much of the qualitative information in Chapter 6. It will

be recalled that one woman in particular indicated that there had been no change in her extremely violent partner's behaviour, but that her situation had improved greatly because she no longer believed that he was likely to carry out his threats to kill her.

The escalation of female violence and abuse would generally have a very different impact, which has at times been manifested in the male becoming alienated from his children. This and other issues related to the differential impact on men will be discussed shortly.

## **THE DATA IN RELATION TO AVO's**

At several points in Chapter 6 male respondents to the telephone follow-up made reference to the misuse of AVO's by their ex-partners, who used them to make it difficult for them to see their children or were using the AVO as a weapon against them. These views are often heard in the media and may reflect the growing strength of a number of "father's rights" lobby groups, who are critical of the Family Court and the Child Support Scheme. One of the arguments advanced by many male lobby groups is that violence is a mutual problem. They actively seek to attack gendered arguments in relation to the impact of violence and reinterpret violent behaviour as "marital discord" (Kaye & Tolmie, 1998). There is also evidence that there is a growing number of domestic violence order cross-applications being made by solicitors for violent men and mutual consent orders restraining both partners from approaching and harassing the other party being made to resolve AVO applications (Walker, 1995).

At the same time the more moderate voices of men's group leaders and others do from time to time question whether there might not be a problem with the misuse or overuse of AVO applications. Some more conservative critics have suggested that overuse may be unintentional with family lawyers making applications in order to facilitate their clients desire to disengage from a persistent ex-partner who will not leave them alone. There is, however, no evidence from the present study that would suggest that AVO's were being overused or misused.

Women themselves would seem to feel that AVO's have been helpful in a number of situations. From their comments in the follow-up interviews it was evident that a

number of women found AVO's very helpful and some more helpful than counselling. In the last page of Chapter six the recommendations of clients in relation to alternative supports and assistance to Family Court Counselling are listed. Women generally found this question easier to respond to than men and came up with a wide array of suggested avenues of support, which they had found helpful. The most frequently sighted item on the women's list, other than the support of good friend's, was taking out an AVO.

From the questionnaire responses of the clients to the demographic questionnaire, a sample of 548 subjects, 41% of the women and 7% of the men indicated that they had current AVO's or had taken out an AVO in the past in relation to their ex-partners behaviour. These percentages do not seem all that unreasonable and equate closely to the estimated prevalence levels for serious and very serious violence ie 40% and 38% respectively. From an alternative perspective this AVO rate of 41% for women and 7% for men would seem modest when we consider that 80% of women had indicated that abuse had been a problem in the relationship and 64% indicated that it was a current concern (males responses being 61% and 44% respectively).

In Chapter 5 we were able to look at a small group of seven cases, in which AVO's had been taken out by the female partner, from within the group of twenty couples with complete data. It was discovered that in all seven of these cases high levels of minor physical violence had been reported. In four cases very high levels of serious physical violence had been reported, and in three the violence included the use of weapons in addition to frequent beatings. On the basis of this small sub-sample we have a solid endorsement for the very appropriate use of an AVO in all seven cases.

## **THE IMPLICATIONS OF THE FINDINGS IN RELATION TO MALE VIOLENCE**

The above discussion has focused on the very real physical risks to women from male violence. The discussion highlights the need to look behind the simple numbers produced by instruments like the CTS. It has demonstrated the importance of obtaining data from a range of perspectives and utilising qualitative as well as

quantitative research strategies to form a more complete view in relation to the impact of violence.

We have noted that in the majority of cases (72%) men escalate their abusive behaviour at the time of the separation and in 13 % of cases this escalation was extremely serious, while in at least 5% of cases the escalation involved behaviour that may cause serious injury and could be life threatening. Admittedly the majority of men (59%) reported that their ex-partners had increased their abusive behaviour and in 10% of cases the escalation was fairly dramatic as well. The physical risks are, however, much greater for the female clients of the Court, when we consider that our results indicate that women are 5 times more likely to have been injured and required medical or hospital treatment as a result of their ex-partners abuse. These risks are further magnified by the finding that 40% of male clients reportedly get drunk frequently and over 35% are said to become abusive when they drink.

Possibly the strongest argument in support of the view that the implications of male to female violence are a much greater problem than female to male violence is to be found in the qualitative research material in Chapter 6. Almost all of the 25 female respondents made reference to their ex-partner's angry and abusive behaviour and this problem was prominent throughout their accounts. For most women the success or otherwise of being able to work out the children's and other arrangements to minimise the need for interaction between themselves and their ex-partners was their primary measure by which they assessed improvement in outcomes for themselves and their children. On the other hand, with the one possible exception, violent behaviour or abuse by the ex-partner was not a significant issue for men.

## **THE IMPLICATIONS OF THE FINDINGS IN RELATION TO FEMALE VIOLENCE**

It is evident, however, from our data that many men are concerned about the abusive behaviour and harassment of their ex-partners in the context of a separation that includes some conflict over the arrangements to care for the children of the relationship. None of the men in the follow-up interviews expressed fear of a partner, but presumably many males have concerns about the consequences for them of their

ex-partner's rage and associated abusive behaviour. Most evident were concerns that relate to the fear that this rage will continue to inhibit, possibly even destroy the relationship they have with their children. For example when clients were asked about what they wanted to achieve in counselling slightly more men than women indicated that they wanted to stop angry arguments, harassment or violence (37% compared to 33% for the women). This result was not anticipated, but it is evident from these responses that men have a number of concerns about the violent or abusive behaviour of their ex-partner.

Johnson and Campbell (1993a) in their typology of high conflict divorcing couples made reference to a female initiated violence type in which all the violence is initiated by the female partner, although they do not estimate the prevalence of this type. From our detailed analysis of the sub-sample of twenty couples with complete data in Chapter 5, one case stood out from the rest which seemed to fit this profile. The other nineteen cases all seemed to fit profiles of male initiated violence, with a couple with a degree of mutual abuse or in possibly two out of the twenty cases it may have been more appropriate to classify the relationship as non-violent with the reported abuse being relatively minor. We are not to know, however, just how representative of the population this twenty couple sample might be. Johnson and Campbell (1993a, 1993b) and Johnson, 1995 emphasise in their published work that the male victims in these relationships feel very embarrassed and intimidated by their partners violence. They assert, however, that compared to the battering male there is normally less severe damage and injury which results from the violent outbursts, mainly because the man is usually more successful in physically restraining the partner.

In Chapter 6 we see a brief glimpse of some of the issues that may contribute to the male's different experience of spouse abuse. Men, it would appear probably do feel abused by their partners and for some also the family law system. In our small telephone follow-up sample of men there was a common expression of feelings of powerlessness despite significant differences in their accounts. For most their partners had the primary care of the children and they were expressing concerns in relation to the arrangements to have contact with their children. All also expressed some and mostly considerable difficulties with trying to negotiate with their ex-partners in



relation to custody and access arrangements. Consequently there expressed feelings of powerlessness and a sense of not being in control of their lives are understandable.

A couple of the men expressed concerns that their partners had maliciously moved to another region to make contact with the children difficult for them. Others argued that their ex-partners would regularly change contact arrangements or refuse to permit access, renege on agreements or consent orders for access to the children. Others argued that their ex-partners were “brain washing” the children. Some were more concerned about not having a say in decisions and the other parent unilaterally making major children’s decisions without even consulting with them or informing them that a decision had been made. In the main these actions of the ex-partners were seen as intentionally malicious and done with intent to upset or hurt them.

In some cases these arguments may well be valid, but by virtue of having some couple data we were able to observe that for some, at least, the account of events was greatly distorted. The distortion a consequence of the man’s failure to acknowledge the contribution of their own violent behaviour in relation to the access problems and relationship problems that were being experiencing with the children. In those smaller number of cases where the female partner initiates the violence this distortion would also be evident. In both situations relationships with the children are frequently problematic (Johnson & Campbell, 1993b and Johnson, 1995).

The impacts of ex-partner violent and abusive behaviour for men are significant, but different to those experienced by women. Both feel powerless, because they do not feel in control of all aspects of their lives, but the fear of physical injury or in some cases extreme terror is unique to the women’s experience. The man’s experience is also unique and predominantly revolves around loss of relationship with children.

## **WHAT DO THE DIFFERENCES IN REPORTED RATES OF VIOLENCE FROM THE DIFFERENT SOURCES TELL US?**

We have already discussed the differences between self-reporting and ex-partner reports of violence in some depth, but there were also significant differences between these reported levels of violence and what was discussed in counselling. Only 32% of

clients reported that spouse abuse had been a problem during counselling a lower incidence than our estimates of serious violence. However, because of the high number of separate interviews counsellors were able to use information disclosed in a separate interview with the other partner to form a view in relation to whether or not violence had occurred between the parents. Consequently the counsellors own assessment of the pattern of abuse were based on 42% of the cases. Even this latter percentage would seem to underestimate the level of abuse disclosed by the respondents in the research questionnaire, although it is about the same as the estimated prevalence of serious physical violence.

The under-reporting is most evident, when we look at the counsellor's assessment of the seriousness of the violence reported as a percentage of the total number of cases for which there was data. We then find that in only 1.1% of cases the Counsellor formed the view that very or extremely serious violence had occurred in the relationship; with 12.1% of cases in which the violence seemed to have been serious. Counsellors reported a further 15.9% of cases involving minor violence and 8.6% serious threatening behaviour in the absence of physical violence. These reported rates are much less than the self-reported incidence rates in the present study let alone the more reliable ex-partner reports.

From the information available to them the Counsellors were also asked to assess the pattern of violence. The results of this analysis are in table 4-43 and the largest group with 24% was the long -standing pattern of frequent violence, followed by a long-standing pattern of infrequent explosive episodes (22%). A close equal third at 18% were mutual violence and violence triggered by the separation. Mutual violence and violence triggered by the separation with a combined percentage of 36% would seem high compared to our survey and interview data. The research questionnaires also indicated the very early onset of violence in 63% of cases. This may suggest that in many cases not a lot of information about the nature of the violence and particularly the context of the violence was disclosed to counsellors during interviews. Certainly the process of conciliation counselling is focused more on achieving a negotiated agreement rather than making in-depth assessments.

## CONCILIATION AND MEDIATION PRACTICES

The results of this study clearly indicate that it would be safe to assume that Court counselling and mediation clients are likely to be at least highly conflictual and in the majority of cases some physical violence has occurred. The present Court domestic violence policies place the emphasis on clients requesting separate interviews if they are concerned about being seen in a joint session. It might, however, be more appropriate to see all clients separately for at least part of the first counselling session to assess the level of conflict and past abusive behaviour, as well as the nature of the dispute, before conducting a joint negotiation session. Some individual counsellors have adopted this approach. Unfortunately to make a policy decision to adopt an approach with a greater emphasis on assessment may have significant resource implications.

There is also some evidence that conciliation counselling is of questionable value in cases that have been characterised by very serious ongoing conflict and abuse. At the same time several clients in the follow-up sample (Chapter 6) indicated that the family report process "where the Counsellor had something to say about what might be best for the children" was a more helpful process. It is likely that in a number of cases where serious violence and child abuse has been a feature it would be a more effective use of resources for there to be a greater emphasis on the provision of resources to undertake an earlier reportable assessment (custody evaluation).

It is certainly possible that if there was greater emphasis on early assessment of domestic violence (and other issues such as mental health, drug abuse and child abuse) through a process of routinely interviewing clients separately the more in-depth assessment resource costs involved might be offset by a more efficient use of resources and, if appropriate, a shift in the balance of resources allocated to conciliation counselling and the provision of custody evaluation reports (family reports).

There was also a very clear message from the follow-up subjects (Chapter 6) that improvement at an individual level and possibly for children as well was not strongly correlated with negotiating agreements. Most subjects identified changes at a personal level such as improved insight, acceptance of things that may not change and personal

growth or learning to deal with conflict more effectively as factors that contributed to improvement. Unfortunately because of the nature of the Court process and the emphasis on negotiating agreements it is likely most counsellors overlook the value to clients of focussing on these broader personal growth issues as well as the need to put workable arrangements in place.

## **LIMITATIONS OF THE STUDY**

This research has many limitations. In particular there are differences between the data sources, which are not easy to explain. We have estimated the prevalence of violent and abusive behaviour, but cannot have a lot of confidence in the accuracy of these estimates. The evidence would suggest that the study of sensitive topics, such as family violence, within the context of a Court System, is especially fraught with difficulties. On the one hand it is a context in which impression management is of critical importance for many clients, and certain individuals have an axe to grind or a self-righteous rage within. We also know that the polarisation process during protracted conflictual disputes has a marked influence on the perception of the parties involved.

The research questionnaires asked the clients to report the incidence of violent tactics during the better times in their relationships and then report on the escalation, if any, which occurred during the separation crisis. For about 1/3 of clients it was between 10 months and 2 years since separation and for a further 1/3 it was over two years since the separation at the time they completed the demographic questionnaire. For most it was at least a further 3 months before they completed the research questionnaire. Consequently recall problems may have influenced the results.

For ease of analysis and because of recall problems we did not include the frequency of behaviour in the analysis. Accurate recall of frequency would be much more of a problem than recall of whether or not a violent tactic occurred. It is suggested that recall would have little influence on the reported incidence of the more serious violence (ie most people would have little difficulty recalling that their partner bashed them up, or threatened them with a knife, but may find it hard to recall the number of times a serious assault had occurred). Of greater concern is the possible distortion of

perception that may result because of the strong emotions and polarisation process during protracted and escalating conflicts over children and property issues.

An attempt to overcome most of these problems was made by seeking to undertake a couple analyses of the data, but this was only a marginally successful strategy, because of the small number of cases with complete couple data. We attempted to explain the marked difference between the male and female reports of partner abusive behaviour in the aggregate and couple data through a combination of perpetrator bias or denial processes and reference to research by Browning & Dutton, (1986). Browning and Dutton (1986) hypothesised that there may be a gender difference in perception of the violent event whereby men see the violence as predominantly mutual while women are more likely to view it as initiated by their partner. There is, however, any number of other explanations for these differences. At a more general level there is very limited research evidence in relation to violence in a divorcing population and we do not have the data to explore reporting bias issues in relation to this population.

There is also the very real problem of attempting to generalise the results from this study to the whole population of clients who utilise court services. We have already discussed some of the limitations in relation to the representativeness of our sample. The sample, although drawn from most regions within NSW, is only at best representative of the NSW population. There are certainly significant demographic and other differences between NSW and the other states. Consequently there is a need to replicate these results with other samples.

## **CONCLUSIONS**

This study has, despite the limitations discussed above, shown that irrespective of how we measure the incidence of spouse/ ex-partner abuse it is a significant issue in the lives of the majority of clients who utilise Court services. It has also been demonstrated that a mixed research design, which provides for the collection of data from multiple sources, is the most appropriate. Moreover the study has shown that couple research designs hold the most promise in overcoming measurement problems associated with, intentional falsification, denial and distortion in reporting.

The results have also shown that women experience by far the greatest risks of being injured by an ex-partner. Moreover, the level of violent behaviour in the population of clients who utilise court services is several times greater than populations who might utilise private mediation and similar voluntary services. There is also evidence to strongly suggest that these significant risks for many women may be greatly compounded during the separation process because of a significant escalation in violent behaviour. The evidence also indicates that men experience very different problems in relation to the abusive behaviours of their ex-partners, but these problems can have serious impacts on their relationships with children.

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## **APPENDICES**

## APPENDIX 1

**DEAR CLIENT,**

Please read the following information carefully.

You were invited to participate in a study to help us understand the difficulties clients have experienced with disagreements, when you attended our Counselling Service and completed an initial survey form.

As I indicated in my initial letter our experience suggests that clients as a rule become upset and confused when they separate and may behave in angry and abusive ways that would not be typical of their normal behaviour. For some couples this may only be a brief period of heated verbal arguments, but for many clients the arguments become extremely angry and in some cases physically abusive. In order for us to collect accurate information about the extent of these problems with conflict a number of personal questions about angry behaviour are asked in the enclosed questionnaire.

You are now being asked to complete this further survey form that contains very specific questions about the nature of the problems you and the other party have experienced with angry conflict. Let me again assure you that any information you provide by completing this form will be strictly confidential.

I also wish to stress that your further participation is strictly voluntary and you may elect not to participate by simply returning the blank form in the enclosed self addressed pre-paid envelope. Alternatively you may also choose not to answer certain questions. Please be assured if you still have matters being dealt with by the Court that your decision as to whether or not you wish to help us out will in no way effect the way in which your case will be dealt with by the Court.

I cannot over-emphasize the importance of this research, which is in an area that is devoid of reliable research information, and the study should be of a significant benefit to us in our attempts to make the Counselling Service more responsive to the real needs of clients such as yourself. It is, thus, my hope that you will agree to help us out again by making some time available to complete this questionnaire and returning it as soon as possible in the enclosed self addressed pre-paid envelope. If you have any queries please contact Mr. Crockford (Phone 042 260200), who is conducting this research or The Director of Counselling in your local area.

The co-operation of people such as yourself is essential for the success of our work and I would greatly appreciate your assistance and participation.

Yours Sincerely

LEN GLARE

CHIEF EXECUTIVE OFFICER.

## APPENDIX 2

Dear Client,

### PLEASE READ THE FOLLOWING INFORMATION CAREFULLY

The Court is concerned with the problems and conflicts that parents have not been able to resolve following the breakdown in their relationship. However, our clients are all different in their disagreements and face different barriers in resolving these disputes. In addition each client comes to us with a unique history of conflicts in their present and past relationships.

You are invited to participate in a study to help us understand the range and extent of the problems clients experience with disagreements. Our experience suggests that clients become upset and confused when they separate and may behave in angry and abusive ways that would not be typical of their normal behaviour. For some couples this may only be a brief period of heated verbal arguments, but for many clients the arguments become extremely angry and in some cases abusive.

This is an important study because, although much is known about access problems and the importance of parents co-operating so that children may have a good relationship with both parents following a separation, researchers have largely ignored investigating the nature of conflicts between parents that get in the road of this happening.

The study will provide an opportunity for you to express your views and feelings about the difficulties you have experienced by being in conflict with the other party. Participation in the study by those who have experienced few difficulties since separation is as important as it is for those who have experienced very angry and abusive conflicts since that time. It is only by seeking the views of people such as yourself, that an accurate picture may be constructed of the extent to which conflict inhibits joint decision making by parents. It is only by your participation that we can learn more about these problems and modify our service to respond more effectively to the needs of clients.

You have been selected as part of a random sample of our clients to help us learn more about these issues. If you elect to help us out you are asked to complete the short questionnaire you have been given to-day that will provide some basic information about yourself and your situation and return the form to the Receptionist, before you see the Counsellor. In about a month or so, after you have completed counselling, we will post you a more detailed questionnaire that will ask you to elaborate on the nature of your disagreements with the other party, the nature of the conflicts you experienced in your relationship together, your family history and some other issues. In about 5 months time a random sample of the clients that have completed both questionnaires will be contacted by phone by the researcher, Mr. Alan Crockford, to see what progress you have made in sorting out the problems that have brought you to the Court and your experiences since your contact with us to-day.

Let me assure you that your name and the information you give, if you decide to participate in the study, will be strictly confidential. If you are interested, a summary of the research findings will be available on request to all participants at the end of the study. At the same time I wish to assure you that participation is voluntary and you will receive the same quality service from my staff irrespective of whether or not you elect to participate in the study. You may also discontinue your participation at any time during the study or refuse to answer certain questions contained in the questionnaires or asked during the telephone follow-up interview.

I cannot over-emphasize the importance of this research to the Court and hope you will agree to participate by completing the questionnaire you have been given to day. If you have any queries about this initial questionnaire the Receptionist may be able to assist you, however, if you would like more detailed information about the study you may wish to contact the researcher, Mr. Alan Crockford, of our Wollongong Registry (Phone 042 260200) or the Director of Counselling in your local Court Counselling Section. The co-operation of people such as yourself is essential for the success of our work and the continued improvement of our Counselling Service.

Yours Sincerely

Len Glare  
Chief Executive Officer

Appendix 3

Family Court of Australia

Counselling Service Client Questionnaire

**GENERAL INFORMATION**

**SYDNEY REGISTRY CASE**

**NO.** \_\_\_\_\_

**YOUR SEX:** \_\_\_\_\_ **POSTCODE** of usual district/suburb of residence

**YOUR AGE:** \_\_\_\_\_ ( years) **COUNTRY OF BIRTH:**

**LEVEL OF EDUCATION**

**(highest level completed):**

Primary School

Secondary School (up to year 10)

Secondary School ( Sch Cert/ HSC)

Trade or other certificate course

College/Diploma

University/Degree


**CURRENT EMPLOYMENT STATUS:**

Full time

☐

Part time

☐

Casual

☐

Unemployed

☐

Pension

☐

Student

☐

Home Duties

☐

Other (specify) \_\_\_\_\_

☐

**USUAL OCCUPATION** (when working) \_\_\_\_\_

**GROSS YEARLY INCOME:**

Under \$ 18,000

☐

\$28,000-39,999

☐

\$51,000-75,999

☐

\$18,001-27,999

☐

\$40,000-50,999

☐

Over \$76,000

☐

**DATE OF MARRIAGE:** \_\_\_\_\_ ( Month & Year )

**IF NOT MARRIED, DATE OF COMMENCEMENT OF RELATIONSHIP** \_\_\_\_\_ (Month & Year)

**WHEN DID YOU SEPARATE?** \_\_\_\_\_ (Month & Year)

**WHO INITIATED THE SEPARATION?**

Self

☐

Spouse/partner

☐

Mutual Decision (both)

☐

**WHAT IS YOUR CURRENT RELATIONSHIP?**

Remarried

☐

New partner

☐

No new relationship

☐

## HOW MANY OTHER LONG TERM RELATIONSHIPS HAVE YOU EVER HAD?

Marriages \_\_\_\_\_ (number) De-facto relationships \_\_\_\_\_ (number)

AGES OF CHILDREN: 1/ \_\_\_\_\_ 2/ \_\_\_\_\_ 3/ \_\_\_\_\_ 4/ \_\_\_\_\_ 5/ \_\_\_\_\_

### CHILDREN LIVING WITH:

Self  Spouse  Both Parents   
Family  Other

## COUNSELLING ISSUES

### THE MAIN ISSUES YOU WISH TO RESOLVE - What is it that you wish to achieve by attending Counselling?

( Please tick as many issues as apply) ☐ ☐

To secure legal custody of children	<input type="checkbox"/>	To gain access to children/or work out access agreement	<input type="checkbox"/>
To make decisions about separation	<input type="checkbox"/>	To attempt a reconciliation	<input type="checkbox"/>
To stop angry arguments and harassment / violence	<input type="checkbox"/>	To improve communication and help with parenting	<input type="checkbox"/>

### Have you previously been to Counselling as a consequence of problems associated with your relationship?

(Please tick appropriate responses)

Family Court Counselling:	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Other Counselling:	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

## PHYSICAL AND EMOTIONAL ABUSE

Most couples attending the Counselling Service have experienced intense conflict with the other party as a result of their attempts to settle the issues between them. For some clients these conflicts have escalated into violent behaviour and for some there have also been longer-term problems with violent and abusive behaviour. The following questions relate to these issues.

(a) Has your argument or dispute with the other party ever escalated to the point that one or both of you have been subjected to physical and/or emotional abuse perpetrated by the other person?

YES ☐ NO ☐

(b) Would you say that the experience of physical and/or emotional abuse (past or present) is a significant issue in your life at the moment?

YES ☐ NO ☐

(c) Have you ever taken out a Restraining - Apprehended Violence Order against the other person?

YES- in the past ☐ YES still current ☐ NO ☐

**THANK YOU FOR YOUR ASSISTANCE**

## APPENDIX 4

### Female Questionnaire

**Form A**

**Case No** \_\_\_\_\_

#### (A) Family Relationship History

The following questions relate to the period of time in your life from very early childhood to the time you left home.

Did you live with your mother and father in the one household all the time you were growing up?

Yes ☐

No ☐ If no since the age of approx. \_\_\_\_\_ I lived: mainly with my Mother  
 \_\_\_\_\_  
 \_\_\_\_\_ mainly with my Father  
 \_\_\_\_\_  
 \_\_\_\_\_ mainly with others  
 (with friends or on my own etc.)

When you last lived with your mother and father, how close did you feel to them?  
 (Please tick most appropriate response)

	Mother	Father
Very close	<input type="checkbox"/>	<input type="checkbox"/>
Close	<input type="checkbox"/>	<input type="checkbox"/>
Neither close nor distant	<input type="checkbox"/>	<input type="checkbox"/>
Distant	<input type="checkbox"/>	<input type="checkbox"/>
Do not know too young too remember	<input type="checkbox"/>	<input type="checkbox"/>

At the present time do you have anyone you are able to talk openly with about serious personal and family problems? Who are these people? (NB! Please tick as many people as apply.)

☐ No one, must rely on myself

☐ Close friend

☐ Present Partner

☐ Pastor or  
Minister of Religion

☐ One of my older children

☐ Counsellor, Social Worker  
Or Welfare Worker

☐ Mother

☐ Doctor

☐ Father

☐ Other \_\_\_\_\_

☐ Other Family Members

How many siblings did you grow up with? (Count step brothers and sisters if you grew up together in the one household)

	Older than you	Younger than you
Brothers		
Sisters		

Did either of your parents have a drinking or drug problem. (Please tick)

	Yes	No
Mother		
Father		
Step-mother		
Step-father		

Did either of your parents physically abuse you or regularly use harsh disciplinary measures (i.e. slap you around the head and face; spank you with a strap/ stick; kick, bite or choke etc) (Please tick).

	Yes	No
Mother		
Father		
Step-mother		
Step-father		

Do you recall your parents having angry arguments when you were growing up?

☐

YES

☐

NO

If Yes How often?

☐

Only once or twice

☐

On rare occasions

☐

Regularly (about once a month)

☐

Often (2 or 3 times a month)

☐

Frequently (once a week or more)

Were these arguments verbal or did they involve physical abuse?

Verbal Only

☐

Verbal and Physical

☐

## (B) CONFLICT DATA AND HISTORY

### PART 1: THE USUAL PATTERN IN YOUR RELATIONSHIP WITH YOUR PARTNER PRIOR TO THE CURRENT PROBLEMS

The following questions relate to the way in which you and your partner made decisions in your relationship.

Prior to the current problems when you lived with your partner: - **WHO HAD THE FINAL SAY WHEN YOU MADE DECISIONS ABOUT THE FOLLOWING SIX ISSUES?** (NB! If you did not live together answer if questions still seem to apply - otherwise tick not applicable in all questions)

	Always Partner	Mostly Partner	Equal Say	Mostly Self	Always Self	Not Applicable
Buying a car						
Having children						
What House or unit to take						
What job either partner should take						
Whether a partner should go to work or quit work						
How much money to spend each week on food						

### PRIOR TO THE CURRENT PROBLEMS HOW OFTEN WOULD YOU AGREE OR DISAGREE ON THE FOLLOWING ISSUES? (Please tick)

	Always Agree	Often Agree	Agree about 50% of the time	Often Disagree	Always Disagree
How the money is managed					
Cooking, cleaning, or repairing the house					
Contact with my family					
Social activities					
Affection and sexual relations					
Things about the children					

Here is a list of behaviours that many women report have been used by their partners or former partners. We would like you to estimate how often these behaviours occurred during the course of your relationship with your partner **before** your separation or the crisis that brought you to counselling.



Please begin

	Never	Rarely	Occasionally	Frequently	Very Frequently
The other party said something to spite me					
The other party swore at me					
The other party yelled and screamed at me.					
The other party sulked or refused to talk about a problem					
The other party stomped out of the house or yard during a disagreement					
The other party treated me like an inferior					
The other party became upset if dinner, housework, or laundry was not done when he thought it should be					
The other party was jealous or suspicious of my friends					
The other party put down my physical appearance					
The other party told me I couldn't manage or take care of myself without him					
The other party acted like I was his personal servant					
The other party insulted me or shamed me in front of others					
The other party would become very angry if I disagreed with his point of view					
The other party was stingy in giving me money to run our home					
The other party would belittle me intellectually					
The other party demanded that I stay home and take care of the children					
The other party did not want me to go to school, other self-improvement activities, or to work outside the home					
The other party is not a kind person					
The other party did not want me to socialize with my female friends					
The other party would demand sex whether I wanted it or not					
The other party ordered me around					
The other party does not respect my feelings					
The other party treated me like I was stupid					
The other party brought up something from the past to hurt me					
The other party withheld affection from me					
The other party did not let me talk about my feelings					
The other party did not do a fair share of child care					
The other party monitored my time and made me account for where I was					
The other party blamed me for his problems					



## ONSET OF PHYSICAL ABUSE

If there have been one or more physically abusive episodes during the course of your relationship with your partner -When did the physical abuse start? (Tick the most appropriate response)

- ☐ Not Applicable - No physical Abuse
- ☐ Prior to our marriage or prior to the time we started living together.
- ☐ Within the first few weeks of our marriage or the decision to live together up to 6 months after this time.
- ☐ During the period of time that I was pregnant with our first child
- ☐ In the 12 month period after the birth of our first child.
- ☐ Several years into our marriage or de facto relationship.
- ☐ Close to the time of our separation (No more than about 6 months before the separation.)
- ☐ Since the separation

## PART 2 BEHAVIOUR DURING THE PRESENT CONFLICT

THE FOLLOWING QUESTIONS RELATE TO THE CONFLICT DURING THE CURRENT PROBLEMS (IE. DURING THE SEPARATION TROUBLES AND SINCE).

During this time of conflict was there a **change** in the frequency of heated arguments and angry behaviours seen in your partner? Please tick appropriate boxes.

	No Change	Happened More Often	Happened for the first time
Threatened to hit, throw something at me			
Threw or smashed hit or kicked something			
Threw something at me			
Pushed, grabbed, or shoved me			
Threatened to take the children away from me			
Frighten or intimidate by following you around or harassing on the phone			
Threatened to commit suicide			
Slapped me			
Kicked, bit, or hit with a fist			
Hit or tried to hit with something			
Frightened me by driving recklessly or other dangerous behaviour			
Threaten to kill you			
Beat me up (punched or kicked on a number of occasions)			
Injured me so badly that I had to seek medical treatment			
Choked me			
Threatened me with a knife or gun			

Used a knife or fired a gun			
-----------------------------	--	--	--

### BEHAVIOUR AFTER PHYSICAL ABUSE

How did your partner behave in the period of time immediately after these episodes of physical abuse?  
(Please tick appropriate boxes)

**NB: IF THERE HAS BEEN NO PHYSICAL ABUSE PLEASE GO TO OTHER ABUSIVE BEHAVIOUR SECTION (next section)**

	Never	Once or twice	Occasionally	Most occasions
Expressed regret and apologised, but blamed you or outside pressures for his behaviour				
Expressed regret and apologised, and acknowledging some responsibility for his behaviour				
Expressed regret etc. and said he would go to counselling with you, but did not follow through				
Expressed regret etc. and attended some counselling sessions.				
Tried to make amends without apologising (i.e. tried to be loving, bought flowers, did jobs around the house etc)				
Ignored the problem and acted as if nothing had happened.				

### OTHER ABUSIVE BEHAVIOUR: ALCOHOL OR DRUG PROBLEMS

	Never	Rarely	occasionally	frequently	very frequently
The other party would become surly and angry if I told him he was drinking too much					
The other party becomes abusive when he drinks					
The other party gets drunk or used to get drunk					
The other party used to use or uses other drugs					

**To the best of your knowledge has your partner been: -**

	Yes	No	Do not know
Physically violent with other adult family members?			
Physically violent with the children?			
Involved in street fights or violent assaults on others?			
Charged with assault			
Has a criminal record, which involves violence or the use of a weapon?			

**THANK YOU FOR YOUR ASSISTANCE!  
PLEASE PLACE QUESTIONNAIRE IN ENVELOPE PROVIDED  
AND POST AS SOON AS POSSIBLE.**

## Appendix 5 Male Questionnaire

**Form A**

**Case No.** \_\_\_\_\_

### (A) Family Relationship History

The following questions relate to the period of time in your life from very early childhood to the time you left home.

Did you live with your mother and father in the one household all the time you were growing up?

Yes ☐

No ☐ If no since the age of approx \_\_\_\_\_ I lived: mainly with my Mother ☐

mainly with my Father ☐

mainly with others  
(with friends or on my own etc.) ☐

When you last lived with your mother and father, how close did you feel to them?  
(Please tick most appropriate response)

	Mother	Father
Very close	<input type="checkbox"/>	<input type="checkbox"/>
Close	<input type="checkbox"/>	<input type="checkbox"/>
Neither close nor distant	<input type="checkbox"/>	<input type="checkbox"/>
Distant	<input type="checkbox"/>	<input type="checkbox"/>
Do not know too young too remember	<input type="checkbox"/>	<input type="checkbox"/>

At the Present time do you have anyone you are able to talk openly with about serious personal and family problems? Who are these people? (NB! Please tick as many people as apply.)

☐ No one, must rely on myself

☐ Close friend

☐ Present Partner

☐ Pastor or  
Minister of Religion

☐ One of my older children

☐ Counsellor, Social Worker  
or Welfare Worker

☐ Mother

☐ Doctor

☐ Father

☐ Other \_\_\_\_\_

☐ Other Family Members

How many siblings did you grow up with? (Count step brothers and sisters if you grew up together in the one household)

	Older than you	Younger than you
Brothers		
Sisters		

Did either of your parents have a drinking or drug problem. (Please tick)

	Yes	No
Mother		
Father		
Step-mother		
Step-father		

Do you recall your parents having angry arguments when you were growing up?

☐ NO ☐ YES

If Yes How often?

- ☐ Only once or twice
- ☐ On rare occasions
- ☐ Regularly (about once a month)
- ☐ Often (2 or 3 times a month)
- ☐ Frequently (once a week or more)

Were these arguments verbal or did they involve physical abuse?

☐ Verbal Only ☐ Verbal and Physical ☐

Conflict occurs in all families between children and their parents. There are many different ways that parents assert their authority and handle disagreements with their children. A number of these ways are listed below and you are asked to recollect the ways your mother and father (or mother/father substitute) used to settle disagreements with you. **PLEASE PLACE THE APPROPRIATE NUMBER IN THE BOXES.**

#### RESPONSES

- 0 = Never  
 1 = Once or twice  
 2 = Regularly (once a month or so)  
 3 = Most of the time (once a week or more)

	Mother	Father
Discuss the issue calmly		
Got information to support their argument		
Brought in someone else to help settle things		
Argued heatedly but short of yelling		

## RESPONSES

0 = Never

1 = Once or twice

2 = Regularly (once a month or so)

3 = Most of the time (once a week or more)

	Mother	Father
Yelled, swore or insulted you		
Sulked and or refused to talk/isolated you		
Stomped out of the room		
Cried		
Threw (but not at you), smashed, hit, or kicked something		
Threatened to hit you or throw something at you		
Threw something at you		
Push, grab, shove you or pull your hair		
Slap or spank you		
Hit or try to hit you with something		
Kick, bite, choke or hit you with a closed fist		
Beat you up (received a number of forceful blows)		
Beat you up or injure so badly that you required medical treatment		
Burned or scalded you		

### (B) CONFLICT DATA AND HISTORY

#### PART 1: THE USUAL PATTERN IN YOUR RELATIONSHIP WITH YOUR PARTNER PRIOR TO THE CURRENT PROBLEMS

The following questions relate to the way in which you and your partner made decisions in your relationship. Prior to the current problems when you lived with your partner: - **WHO HAD THE FINAL SAY WHEN YOU MADE DECISIONS ABOUT THE FOLLOWING SIX ISSUES?** (If you did not live together answer if questions still seem to apply - otherwise tick not applicable in all questions)

	Always Partner	Mostly Partner	Equal Say	Mostly Self	Always Self	Not Applicable
Buying a car						
Having children						
What House or unit to take						
What job either partner should take						
Whether a partner should go to work or quit work						
How much money to spend each week on food						

**PRIOR TO THE CURRENT PROBLEMS HOW OFTEN WOULD YOU AGREE OR DISAGREE ON THE FOLLOWING ISSUES?** (Please tick the appropriate boxes)

	Always Agree	Often Agree	Agree about 50% of the time	Often Disagree	Always Disagree
How the money is managed					
Cooking, cleaning, or repairing the house					
Contact with my family					
Social activities					
Affection and sexual relations					
Things about the children					

Here is a list of behaviours that many men report have been used by their partners or former partners. We would like you to estimate how often these behaviours occurred during the course of your relationship with your partner **before** your separation or the crisis that brought you to counselling. Please tick the appropriate boxes.

**Please begin**

	Never	Rarely	Occasionally	Frequently	Very frequently
The other party said something to spite me					
The other party swore at me					
The other party yelled and screamed at me.					
The other party sulked or refused to talk about a problem					
The other party stomped out of the house or yard during a disagreement					
The other party treated me like an inferior					
The other party called me names					
The other party was jealous or suspicious of my friends					
The other party gave me the silent treatment, or acted as if I wasn't there					
The other party told me I couldn't manage or take care of myself without her					
The other party acted irresponsibly with our financial resources					
The other party insulted me or shamed me in front of others					
The other party would become very angry if I disagreed with her point of view					
The other party was jealous of other women					
The other party would belittle me intellectually					



The other party blamed me when she was upset about something, even when it had nothing to do with me					
The other party threatened to hurt herself if I left her					
	Never	Rarely	Occasionally	Frequently	Very frequently
The other party is not a kind person					
The other party did not want me to socialize with my male friends					
The other party would demand sex whether I wanted it or not					
The other party ordered me around					
The other party does not respect my feelings					
The other party treated me like I was stupid					
The other party brought up something from the past to hurt me					
The other party withheld affection from me					
The other party did not let me talk about my feelings					
The other party threatened to hurt herself if I didn't do what she wanted me to do					
The other party monitored my time and made me account for where I was					
The other party blamed me for her problems					
The other party's moods changed radically, from calm to angry, or vice versa					

No matter how well a couple gets along, there are times when they disagree on major decisions, get annoyed about something the other person does, or just have spats or fights because they're in a bad mood or tired or for some other reason. They also use many different ways of trying to settle their differences.

**Please place a NUMBER IN THE BOX** for each of the behaviours listed below to show how often **you** and **your partner** behaved this way during the **NORMAL COURSE OF YOUR RELATIONSHIP**:

RESPONSES:

0 = Never

1 = Once or Twice

2 = Occasionally (Once a month or less)

3 = Regularly (2-3 times a month)

4 = Most of the Time (Once a week or more)

	Self	Your Partner
Discussed the issue calmly		
Got information to back up (your/her) side of things		
Brought in or tried to bring in someone to help settle things		

**RESPONSES:**

0 = Never

1 = Once or Twice

2 = Occasionally (Once a month or less)

3 = Regularly (2-3 times a month)

4 = Most of the Time (Once a week or more)

	Self	Your Partner
Threw or smashed or hit or kicked something		
Threw something at the other party		
Pushed, grabbed, or shoved the other party		
Slapped the other party		
Kicked, bit, or hit with a fist		
Hit or tried to hit with something		
Frightened the other party by driving recklessly or other dangerous behaviour		
Beat up the other party (punched or kicked on a number of occasions)		
Injured so badly that medical treatment had to be sought		
Choked the other party		

**PART 2: BEHAVIOUR DURING THE PRESENT CONFLICT**

**THE FOLLOWING QUESTIONS RELATE TO THE CONFLICT DURING THE CURRENT PROBLEMS (IE. DURING THE SEPARATION TROUBLES AND SINCE).**

During this time of conflict was there a **change** in the frequency of heated arguments and angry behaviours seen in your partner? Please tick appropriate boxes.

	No Change	Happened More Often	Happened for the first time
Threatened to hit, throw something at me			
Threw or smashed hit or kicked something			
Threw something at me			
Pushed, grabbed, or shoved me			
Threatened to take the children away from me			
Frighten or intimidate by following you around or harassing on the phone			
Threatened to commit suicide			
Slapped me			
Kicked, bit, or hit with a fist			
Hit or tried to hit with something			

	No Change	Happened More Often	Happened for the first time
Frightened me by driving recklessly or other dangerous behaviour			
Threaten to kill you			
Beat me up (punched or kicked on a number of occasions)			
choked me			

As a consequence of these angry fights with **your partner** are you concerned about your own angry feelings and behaviour?

YES

☐

NO

☐

If you are concerned about your angry feelings how long have you been worried about this problem?

☐ 1 to 4 weeks

☐ 1 to 6 months

☐ 6 to 12 months

☐ several years

☐ more than 5 years

#### OTHER ABUSIVE BEHAVIOUR

	Never	Rarely	Occasionally	Frequently	Very Frequently
The other party would become surly and angry if I told her she was drinking too much					
The Other Party becomes abusive when she drinks					
The Other Party gets drunk or used to get drunk					
The Other Party used to use or uses other drugs					

To the best of your knowledge has your partner been physically violent with the children?

YES

☐

NO

☐

### (C) ROLES OF MEN AND WOMEN

The following statements describe attitudes to the roles that men and women should play in family life that different people have. There are no right and wrong answers, only opinions. Please select the response that most closely represents your point of view in relation to the following statements and tick the appropriate box.

	Agree strongly	Agree Mildly	Disagree mildly	Disagree Strongly
Swearing and obscenity are more repulsive in the speech of a woman than of a man				
Under modern economic conditions with women being active outside the home, men should share in household tasks such as washing dishes and doing the laundry				
It is insulting to women to have the "obey" clause remain in the marriage service				
A woman should be as free as a man to propose marriage				
Women should worry less about their rights and more about becoming good wives and mothers				
Women should assume their rightful place in business and all the professions along with men				
A woman should not expect to go to exactly the same places or to have quite the same freedom of action as a man				
It is ridiculous for a woman to run a locomotive and for a man to darn socks				
The intellectual leadership of a community should be largely in the hands of men				
Women should be given equal opportunity with men for apprenticeship in the various trades				
Women earning as much as their dates should bear equally the expense when they go out together				
Sons in a family should be given more encouragement to go to University than daughters				
In general, the father should have greater authority than the mother in the bringing up of children				
Economic and social freedom is worth far more to women than acceptance of the ideal of femininity which has been set up by men				
There are many jobs in which men should be given preference over women in being hired or promoted				

**THANK YOU FOR YOUR ASSISTANCE!**

**PLEASE PLACE QUESTIONNAIRE IN ENVELOPE PROVIDED AND POST AS SOON AS POSSIBLE.**

## Appendix 6

### Female Questionnaire

**Form B**  
**No.** \_\_\_\_\_

## Case

### (A) Family Relationship History

The following questions relate to the period of time in your life from very early childhood to the time you left home.

Did you live with your mother and father in the one household all the time you were growing up?

Yes ☐

No ☐ If no since the age of approx\_\_\_\_\_ I lived:

mainly with my Mother ☐

mainly with my Father ☐

mainly with others  
(with friends or on my own etc.) ☐

When you last lived with your mother and father, how close did you feel to them?  
(Please tick most appropriate response)

	Mother	Father
Very close		
Close		
Neither close nor distant		
Distant		
Do not know too young too remember		

At the Present time do you have anyone you are able to talk openly with about serious personal and family problems? Who are these people? (NB! Please tick as many people as apply.)

☐ No one, must rely on myself

☐ Close friend

☐ Present Partner

☐ Pastor or  
Minister of Religion

☐ One of my older children

☐ Counsellor, Social Worker  
or Welfare Worker

☐ Mother
 ☐ Doctor

☐ Father
 ☐ Other \_\_\_\_\_

☐ Other Family Members

How many siblings did you grow up with? (count step brothers and sisters if you grew up together in the one household)

	Older than you	Younger than you
Brothers		
Sisters		

Did either of your parents have a drinking or drug problem. (Please tick)

	Yes	No
Mother		
Father		
Step-mother		
Step-father		

Did either of your parents physically abuse you or regularly use harsh disciplinary measures (i.e. slap you around the head and face; spank you with a strap/ stick; kick, bite or choke). (Please tick)

	Yes	No
Mother		
Father		
Step-mother		
Step-father		

Do you recall your parents having angry arguments when you were growing up?

☐ YES
 ☐ NO

If Yes How often?

☐ Only once or twice

☐ On rare occasions

☐ Regularly (about once a month)

☐ Often (2 or 3 times a month)

☐ Frequently (once a week or more)

Were these arguments verbal or did they involve physical abuse?

Verbal Only ☐
 Verbal and Physical ☐

## (B) CONFLICT DATA AND HISTORY

### PART 1: THE USUAL PATTERN IN YOUR RELATIONSHIP WITH YOUR PARTNER PRIOR TO THE CURRENT PROBLEMS

The following questions relate to the way in which you and your partner made decisions in your relationship.

Prior to the current problems when you lived with your partner: - **WHO HAD THE FINAL SAY WHEN YOU MADE DECISIONS ABOUT THE FOLLOWING SIX ISSUES?** (If you did not live together answer if questions still seem to apply - otherwise tick not applicable in all questions)

	Always Partner	Mostly Partner	Equal Say	Mostly Self	Always Self	Not Applicable
Buying a car						
Having children						
What House or unit to take						
What job either partner should take						
Whether a partner should go to work or quit work						
How much money to spend each week on food						

### PRIOR TO THE CURRENT PROBLEMS HOW OFTEN WOULD YOU AGREE OR DISAGREE ON THE FOLLOWING ISSUES? (Please tick the appropriate boxes)

	Always Agree	Often Agree	Agree about 50% of the time	Often Disagree	Always Disagree
How the money is managed					
Cooking, cleaning, or repairing the house					
Contact with my family					
Social activities					
Affection and sexual relations					
Things about the children					

Here is a list of behaviours that many women report have been used by their partners or former partners. We would like you to estimate how often these behaviours occurred during the course of your relationship with your partner **before** your separation or the crisis that brought you to counselling. Please tick the appropriate boxes.

**Please begin**

	Never	Rarely	Occasionally	Frequently	Very frequently
The other party said something to spite me					
The other party swore at me					
The other party yelled and screamed at me.					
The other party sulked or refused to talk about a problem					
The other party stomped out of the house or yard during a disagreement					
The other party treated me like an inferior					
The other party became upset if dinner, housework, or laundry was not done when he thought it should be					
The other party was jealous or suspicious of my friends					
The other party put down my physical appearance					
The other party told me I couldn't manage or take care of myself without him					
The other party acted like I was his personal servant					
The other party insulted me or shamed me in front of others					
The other party would become very angry if I disagreed with his point of view					
The other party was stingy in giving me money to run our home					
The other party would belittle me intellectually					
The other party demanded that I stay home and take care of the children					
The other party did not want me to go to school, other self-improvement activities, or to work outside the home					
The other party is not a kind person					
The other party did not want me to socialize with my female friends					
The other party would demand sex whether I wanted it or not					
The other party ordered me around					
The other party does not respect my feelings					
The other party treated me like I was stupid					
The other party brought up something from the past to hurt me					
The other party withheld affection from me					
The other party did not let me talk about my feelings					
The other party did not do a fair share of child care					
The other party monitored my time and made me account for where I was					



The other party blamed me for his problems					
	Never	Rarely	Occasionally	Frequently	Very frequently
The other party's moods changed radically, from calm to angry, or vice versa					

No matter how well a couple gets along, there are times when they disagree on major decisions, get annoyed about something the other person does, or just have spats or fights because they're in a bad mood or tired or for some other reason. They also use many different ways of trying to settle their differences.

**Please place a NUMBER IN THE BOX** for each of the behaviours listed below to show how often **you** and **your partner** behaved this way during the **NORMAL COURSE OF YOUR RELATIONSHIP**:

**RESPONSES:**

0 = Never

1 = Once or Twice

2 = Occasionally (Once a month or less)

3 = Regularly (2-3 times a month)

4 = Most of the Time (Once a week or more)

	Self	Your Partner
Discussed the issue calmly		
Got information to back up (your/his) side of things		
Brought in or tried to bring in someone to help settle things		
Threw or smashed or hit or kicked something		
Threw something at the other party		
Pushed, grabbed, or shoved the other party		
Slapped the other party		
Kicked, bit, or hit with a fist		
Hit or tried to hit with something		
Frighten the other party by driving recklessly or other dangerous behaviour		

## PART 2: BEHAVIOUR DURING THE PRESENT CONFLICT

**THE FOLLOWING QUESTIONS RELATE TO THE CONFLICT DURING THE CURRENT PROBLEMS (IE. DURING THE SEPARATION TROUBLES AND SINCE).**

Although violent behaviour may not have been a problem for some couples **abusive behaviour gets much worse for at least a brief period during a separation.** During this time of conflict was there a **change** in the frequency of heated arguments and angry behaviours seen in your partner? Please tick appropriate boxes.

	No Change	Happened More Often	Happened for the first time
Threatened to hit, throw something at me			
Threw or smashed hit or kicked something			
Threw something at me			
Pushed, grabbed, or shoved me			
Threatened to take the children away from me			
Frighten or intimidate by following you around or harassing on the phone			
Threatened to commit suicide			
Slapped me			
Kicked, bit, or hit with a fist			
Hit or tried to hit with something			
Frightened me by driving recklessly or other dangerous behaviour			

## OTHER ABUSIVE BEHAVIOUR

	Never	Rarely	Occasionally	Frequently	Very Frequently
The other party would become surly and angry if I told him he was drinking too much					
The Other Party becomes abusive when he drinks					
The Other Party gets drunk or used to get drunk					
The Other Party used to use or uses other drugs					

**THANK YOU FOR YOUR ASSISTANCE!**

**PLEASE PLACE QUESTIONNAIRE IN ENVELOPE PROVIDED**

**AND POST AS SOON AS POSSIBLE.**

# MALE QUESTIONNAIRE

Form B

Case No.

## (A) Family Relationship History

The following questions relate to the period of time in your life from very early childhood to the time you left home.

Did you live with your mother and father in the one household all the time you were growing up?

Yes ☐

No ☐ If no since the age of approx \_\_\_\_\_ I lived: mainly with my Mother ☐

mainly with my Father ☐

mainly with others  
(with friends or on my own etc.) ☐

When you last lived with your mother and father, how close did you feel to them?  
(Please tick most appropriate response)

	Mother	Father
Very close	<input type="checkbox"/>	<input type="checkbox"/>
Close	<input type="checkbox"/>	<input type="checkbox"/>
Neither close nor distant	<input type="checkbox"/>	<input type="checkbox"/>
Distant	<input type="checkbox"/>	<input type="checkbox"/>
Do not know too young too remember	<input type="checkbox"/>	<input type="checkbox"/>

At the Present time do you have anyone you are able to talk openly with about serious personal and family problems? Who are these people? (NB! Please tick as many people as apply.)

☐ No one, must rely on myself

☐ Close friend

☐ Present Partner

☐ Pastor or  
Minister of Religion

☐ One of my older children

☐ Counsellor, Social Worker  
or Welfare Worker

☐ Mother

☐ Doctor

☐ Father

☐ Other \_\_\_\_\_

☐ Other Family Members

How many siblings did you grow up with? (Count step brothers and sisters if you grew up together in the one household)

	Older than you	Younger than you
Brothers		
Sisters		

Did either of your parents have a drinking or drug problem. (Please tick)

	Yes	No
Mother		
Father		
Step-mother		
Step-father		

Did either of your parents physically abuse you or regularly use harsh disciplinary measures (i.e. slap you around the head and face; spank you with a strap/ stick; kick, bite or choke). (Please tick)

	Yes	No
Mother		
Father		
Step-mother		
Step-father		

Do you recall your parents having angry arguments when you were growing up?

☐ Yes ☐ No

If Yes How often?

- ☐ Only once or twice
- ☐ On rare occasions
- ☐ Regularly (about once a month)
- ☐ Often (2 or 3 times a month)
- ☐ Frequently (once a week or more)

Were these arguments verbal or did they involve physical abuse?

Verbal Only ☐

Verbal and Physical ☐

## (B) CONFLICT DATA AND HISTORY

### PART 1: THE USUAL PATTERN IN YOUR RELATIONSHIP WITH YOUR PARTNER PRIOR TO THE CURRENT PROBLEMS

The following questions relate to the way in which you and your partner made decisions in your relationship.

Prior to the current problems when you lived with your partner: - **WHO HAD THE FINAL SAY WHEN YOU MADE DECISIONS ABOUT THE FOLLOWING SIX ISSUES?** (If you did not live together answer if questions still seem to apply - otherwise tick not applicable in all questions)

	Always Partner	Mostly Partner	Equal Say	Mostly Self	Always Self	Not Applicable
Buying a car						
Having children						
What House or unit to take						
What job either partner should take						
Whether a partner should go to work or quit work						
How much money to spend each week on food						

### PRIOR TO THE CURRENT PROBLEMS HOW OFTEN WOULD YOU AGREE OR DISAGREE ON THE FOLLOWING ISSUES? (Please tick the appropriate boxes)

	Always Agree	Often Agree	Agree about 50% of the time	Often Disagree	Always Disagree
How the money is managed					
Cooking, cleaning, or repairing the house					
Contact with my family					
Social activities					
Affection and sexual relations					
Things about the children					

Here is a list of behaviours that many men report have been used by their partners or former partners. We would like you to estimate how often these behaviours occurred during the course of your relationship with your partner **before** your separation or the crisis that brought you to counselling. Please tick the appropriate boxes.

Please begin

	Never	Rarely	Occa- sionally	Frequ ently	Very frequent ly
The other party said something to spite me					
The other party swore at me					
The other party yelled and screamed at me.					
The other party sulked or refused to talk about a problem					
The other party stomped out of the house or yard during a disagreement					
The other party treated me like an inferior					
The other party called me names					
The other party was jealous or suspicious of my friends					
The other party gave me the silent treatment, or acted as if I wasn't there					
The other party told me I couldn't manage or take care of myself without her					
The other party acted irresponsibly with our financial resources					
The other party insulted me or shamed me in front of others					
The other party would become very angry if I disagreed with her point of view					
The other party was jealous of other women					
The other party would belittle me intellectually					
The other party blamed me when she was upset about something, even when it had nothing to do with me					
The other party threatened to hurt herself if I left her					
The other party is not a kind person					
The other party did not want me to socialize with my male friends					
The other party would demand sex whether I wanted it or not					
The other party ordered me around					
The other party does not respect my feelings					
The other party treated me like I was stupid					
The other party brought up something from the past to hurt me					
The other party withheld affection from me					
The other party did not let me talk about my feelings					
The other party threatened to hurt herself if I didn't do what she wanted me to do					

	Never	Rarely	Occasionally	Frequently	Very frequently
The other party monitored my time and made me account for where I was					
The other party blamed me for her problems					
The other party's moods changed radically, from calm to angry, or vice versa					

No matter how well a couple gets along, there are times when they disagree on major decisions, get annoyed about something the other person does, or just have spats or fights because they're in a bad mood or tired or for some other reason. They also use many different ways of trying to settle their differences.

**Please place a NUMBER IN THE BOX** for each of the behaviours listed below to show how often **you** and **your partner** behaved this way during the **NORMAL COURSE OF YOUR RELATIONSHIP**:

**RESPONSES:**

0 = Never

1 = Once or Twice

2 = Occasionally (Once a month or less)

3 = Regularly (2-3 times a month)

4 = Most of the Time (Once a week or more)

	Self	Your Partner
Discussed the issue calmly		
Got information to back up (your/her) side of things		
Brought in or tried to bring in someone to help settle things		
Threw or smashed or hit or kicked something		
Threw something at the other party		
Pushed, grabbed, or shoved the other party		
Slapped the other party		
Kicked, bit, or hit with a fist		
Hit or tried to hit with something		
Frightened the other party by driving recklessly or other dangerous behaviour		

## PART 2: BEHAVIOUR DURING THE PRESENT CONFLICT

**THE FOLLOWING QUESTIONS RELATE TO THE CONFLICT DURING THE CURRENT PROBLEMS (IE. DURING THE SEPARATION TROUBLES AND SINCE).**

Although violent behaviour may not have been a problem for some couples abusive behaviour gets much worse for at least a brief period during a separation. During this time of conflict was there a change in the frequency of heated arguments and angry behaviours seen in your partner? Please tick appropriate boxes.

	No Change	Happened More Often	Happened for the first time
Threatened to hit, throw something at me			
Threw or smashed hit or kicked something			
Threw something at me			
Pushed, grabbed, or shoved me			
Threatened to take the children away from me			
Frighten or intimidate by following you around or harassing on the phone			
Threatened to commit suicide			
Slapped me			
Kicked, bit, or hit with a fist			
Hit or tried to hit with something			
Frightened me by driving recklessly or other dangerous behaviour			

## OTHER ABUSIVE BEHAVIOUR

	Never	Rarely	Occasionally	Frequently	Very Frequently
The other party would become surly and angry if I told her she was drinking too much					
The Other Party becomes abusive when she drinks					
The Other Party gets drunk or used to get drunk					
The Other Party used to use or uses other drugs					



### (C) ROLES OF MEN AND WOMEN

The following statements describe attitudes to the roles that men and women should play in family life that different people have. There are no right and wrong answers, only opinions. Please select the response that most closely represents your point of view in relation to the following statements and tick the appropriate box.

	Agree strongly	Agree mildly	Disagree mildly	Disagree strongly
Swearing and obscenity are more repulsive in the speech of a woman than of a man				
Under modern economic conditions with women being active outside the home, men should share in household tasks such as washing dishes and doing the laundry				
It is insulting to women to have the "obey" clause remain in the marriage service				
A woman should be as free as a man to propose marriage				
Women should worry less about their rights and more about becoming good wives and mothers				
Women should assume their rightful place in business and all the professions along with men				
A woman should not expect to go to exactly the same places or to have quite the same freedom of action as a man				
It is ridiculous for a woman to run a locomotive and for a man to darn socks				
The intellectual leadership of a community should be largely in the hands of men				
Women should be given equal opportunity with men for apprenticeship in the various trades				
Women earning as much as their dates should bear equally the expense when they go out together				
Sons in a family should be given more encouragement to go to University than daughters				
In general, the father should have greater authority than the mother in the bringing up of children				
Economic and social freedom is worth far more to women than acceptance of the ideal of femininity which has been set up by men				
There are many jobs in which men should be given preference over women in being hired or promoted				

**THANK YOU FOR YOUR ASSISTANCE! PLEASE PLACE QUESTIONNAIRE IN ENVELOPE PROVIDED AND POST AS SOON AS POSSIBLE.**

## APPENDIX 8

# COUNSELLOR OUTCOME EVALUATION FORM

COUNSELLOR'S REGISTRY \_\_\_\_\_ CASE NO. \_\_\_\_\_

### SECTION A: BASIC DATA

1. COUNSELLOR'S SEX:                      male ☐                      female ☐

2 NATURE OF COUNSELLING SESSIONS (Include past interventions if known)

Number of Counselling Sessions			
Type of Counselling	Voluntary	Order 24	62 (1)
Joint			
Mother only			
Father only			
Involving children			
TOTAL			

3. COUNSELLING TERMINATED BY:

Client Mother ☐    Client Father ☐    Counsellor ☐    Mutual ☐    Other ☐

4. REASON FOR

TERMINATION: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

### SECTION B: COUNSELLING PROCESS

5. IN YOUR VIEW WHAT WAS THE LEVEL OF CONSTRUCTIVE CLIENT INVOLVEMENT IN DISCUSSIONS THAT WERE FOCUSED ON REACHING AGREEMENT?

Male Minimal ☐ Some ☐ Good ☐ High ☐  
 Female Minimal ☐ Some ☐ Good ☐ High ☐

6. WHAT WAS THE LEVEL OF CONFLICT DURING JOINT COUNSELLING SESSIONS?

Mildly ☐ Moderately ☐ Highly ☐ Extremely ☐ N/A No ☐  
 Conflictual Sessions    Conflictual    Conflictual    Conflictual    Joint

7.. DID EITHER CLIENT REPORT DETAILS OF EPISODES OF DOMESTIC VIOLENCE?

Male    Yes    ☐    No    ☐    Female    Yes    ☐    No    ☐

***If Violence not reported go to Question 12 on page 3***

**8. IF VIOLENCE WAS REPORTED: -**

<p>(a) What pattern of violence did the client/s report? (if two different accounts given indicate by inserting <b>F</b> and <b>M</b> in the appropriate boxes)</p>	<p><b>AND</b></p>	<p>(b) Based on your own assessment what do you consider to be the most likely pattern of violence that has occurred in this case?</p>
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Long standing pattern of frequent abuse	<input type="checkbox"/>	<input type="checkbox"/>
Long standing pattern of infrequent explosive episodes	<input type="checkbox"/>	<input type="checkbox"/>
A pattern of mutual abuse	<input type="checkbox"/>	<input type="checkbox"/>
Only one or two isolated episode	<input type="checkbox"/>	<input type="checkbox"/>
Violence that seemed to be triggered by the separation	<input type="checkbox"/>	<input type="checkbox"/>

**9. WHAT WAS THE NATURE OF THE VIOLENT BEHAVIOUR REPORTED (IE PUSHES, PUNCHES, THREATS TO KILL, RESTRICTION OF SOCIAL ACTIVITY ETC.)?**

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**10. IN YOUR OPINION, HOW SERIOUS IS THE LEVEL OF VIOLENCE IN THIS RELATIONSHIP?**

Not serious    ☐    Fairly serious    ☐    Very serious    ☐    Extremely serious    ☐

**SECTION C: OUTCOME OF COUNSELLING**

**11. IF VIOLENCE WAS AN ISSUE IN THIS CASE, IN WHAT WAY DID THE PRESENCE OF " VIOLENCE " INTERFERE WITH THE PROCESS AND OUTCOME OF COUNSELLING?**

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12. WHAT ISSUES WERE DEALT WITH DURING NEGOTIATIONS?

ISSUES	RESOLUTION		
	FULL	PARTIAL	NONE
1.			
2.			
3.			
4.			
5.			

13. WHAT WERE THE SPECIFIC DETAILS OF AGREEMENTS THAT RELATED TO THE CHILDREN'S ARRANGEMENTS?

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14. WHAT WERE THE FACTORS THAT CONTRIBUTED TO AGREEMENTS?

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15. WHAT FACTORS CONTRIBUTED TO LACK OF AGREEMENT? (i.e. AVO prevented joint counselling, serious impasses observed etc.)

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*Thank you for your assistance*

APPENDIX 9

FAMILY COURT OF AUSTRALIA

SPOUSE ABUSE SURVEY  
CLIENT FOLLOW-UP INTERVIEW

SURNAME\_\_\_\_\_

CASE NO\_\_\_\_\_

FIRST NAME\_\_\_\_\_

CONTACT	DATE	TIME	LENGTH OF CONTACT
1			
2			
3			

OTHER NOTES ON TELEPHONE INTERVIEW

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FULL NAME OF INTERVIEWER

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JOB TITLE AND ORGANISATION EMPLOYED BY

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SIGNATURE\_\_\_\_\_

Q1. CAN YOU RECALL THE DECISIONS OR AGREEMENTS YOU MADE WHEN YOU ATTENDED FAMILY COURT COUNSELLING (PROMPT FROM COUNSELLOR'S FORM IF NO RECALL).

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Q3 HAVE THERE BEEN ANY CHANGES TO THE AGREEMENTS AND ARRANGEMENTS YOU MADE, IN COUNSELLING, FOR THE CARE AND WELFARE OF THE CHILDREN?

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Q3.HOW WERE THESE CHANGES MADE? (PROMPT FOR HELP SEEKING SUCH AS OTHER COUNSELLORS, LAWYERS, FAMILY OR FRIENDS ETC.)

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Q4. WHAT HAS CHANGED IN THOSE AREAS IN, WHICH THERE WAS NO AGREEMENT FOLLOWING COUNSELLING OR IF NO AGREEMENTS WERE MADE IN COUNSELLING WHAT AGREEMENTS HAVE BEEN MADE SINCE COUNSELLING?

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Q5. SINCE YOU FIRST ATTENDED COUNSELLING (PROMPT WITH DATE IF THIS SEEMS NECESSARY) HAVE YOU BEEN TO COURT TO RESOLVE DISPUTES WITH THE OTHER PARTY? PLEASE SUPPLY AS MUCH DETAIL AS POSSIBLE? LOCAL COURT

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FAMILY COURT

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I AM NOW GOING TO ASK YOU A FEW QUESTIONS ON THE EFFECTS OF COUNSELLING ON SOME ASPECTS OF YOUR LIFE. IN OTHER WORDS WHAT HAS CHANGED FOR YOU, YOUR CHILDREN, AND FAMILY RELATIONSHIPS SINCE YOU CAME TO THE COURT FOR COUNSELLING.

Q6. SINCE COUNSELLING HOW HAVE THINGS CHANGED FOR YOU PERSONALLY?

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Q7. FOR YOU PERSONALLY DO YOU THINK THAT THINGS ARE:

MUCH BETTER ☐ IMPROVED ☐ ABOUT THE SAME ☐ WORSE ☐ MUCH WORSE ☐

Q8. SINCE THE COUNSELLING HOW HAVE THINGS CHANGED FOR YOUR CHILDREN?

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Q9. DO YOU THINK THAT THINGS FOR THE CHILDREN ARE:

MUCH BETTER ☐ IMPROVED ☐ ABOUT THE SAME ☐ WORSE ☐ MUCH WORSE ☐

Q10. SINCE THE COUNSELLING HOW HAVE THINGS CHANGED IN YOUR RELATIONSHIP WITH YOUR EX-PARTNER?

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Q11. DO YOU THINK THAT YOUR RELATIONSHIP WITH YOUR EX-PARTNER IS? :

MUCH BETTER ☐ IMPROVED ☐ ABOUT THE SAME ☐ WORSE ☐ MUCH WORSE ☐

Q12. FORM A RESPONDENTS ONLY (VIOLENCE IDENTIFIED AS A PROBLEM)  
IN THE PAST FEW MONTHS HAVE YOU AND YOUR PARTNER HAD ABUSIVE OR  
VIOLENT ARGUMENTS AND FIGHTS? (PROMPT FOR SPECIFIC DETAILS WHO DID WHAT?  
WERE THERE PUSHES, PUNCHES, ATTEMPTS TO CHOKE, THREATS TO PUNISH, REFUSAL TO  
RETURN CHILDREN FROM OR SEND CHILDREN ON ACCESS AND HOW OFTEN HAS IT HAPPENED?)

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Q 13 (A) DID THE COUNSELLING MAKE ANY DIFFERENCE TO THE VIOLENT BEHAVIOUR? IN WHAT WAY?

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Q14. AS A RESULT OF THIS COUNSELLING DID THINGS SEEM TO GET:

MUCH BETTER ☐ IMPROVED ☐ ABOUT THE SAME ☐ WORSE ☐ MUCH WORSE ☐

Q14. IF COUNSELLING DID NOT SEEM TO HELP MUCH DID YOU FIND ANYTHING ELSE MORE HELPFUL (PROMPT FOR SPECIFIC DETAILS IE. OTHER COUNSELLING, LAWYER, OR GOING TO COURT TO GAIN, RESTRAINING ORDER OR ADVO, SUPPORT FROM FRIENDS, OTHER SUPPORT GROUPS ETC.)

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Q15. IF NEW PROBLEMS ARISE BETWEEN YOU AND YOUR EX-PARTNER WOULD YOU THINK ABOUT COMING TO COUNSELLING AT THE FAMILY COURT AGAIN? (PROMPT FOR CIRCUMSTANCES AND WHAT MIGHT PREVENT OR DISCOURAGE THEM FROM ATTENDING)

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Q16. WOULD YOU RECOMMEND FAMILY COURT COUNSELLING TO FRIENDS OR FAMILY THAT WERE EXPERIENCING PROBLEMS RESOLVING ACCESS OR CUSTODY ISSUES.

FINALLY IF YOU WOULD NOT RECOMMEND COURT COUNSELLING WHAT OTHER FORMS OF ASSISTANCE WOULD YOU RECOMMEND (PROMPT FOR DETAILS IE. LAWYER, OTHER COUNSELLING, ADVO ACTION IN LOCAL COURT, MOVE INTERSTATE ETC.)

## **APPENDIX 10**

### **RATIONALE FOR ITEM CONSTRUCTION**

Jaffe et al (1986) in a study to examine the impact of exposure to family violence on school age boys compared the adjustment of boys who had been abused by their parents with boys who had witnessed violence between their parents. Their results demonstrated that boys who witnessed parental abuse have similar adjustment difficulties to boys who were abused by their parents and differ significantly from children of non-violent families. A number of research studies have also consistently found that males are more likely to model the abusive behaviour of their parents than are females (e.g. O'Leary and Curley, 1986; Alexander et al. 1991; and Stets, 1990).

The Alexander et al. (1991) study, which investigated intergenerational transmission of courtship violence, discovered that the strongest determinant of later violence was physical abuse of the male by his father. Whereas the O'Leary and Curley (1986) study, involving subjects that were married, discovered a strong association between observing marital violence in their families of origin and men's spouse abuse in the present marital relationship. Suggesting that adoption of a marital role increase the likelihood of partner abuse for those males that witnessed marital abuse in their family of origin.

Based on the above research findings a decision was made to include a modified version of the CTS (child abuse) scale in the male questionnaire and only include a yes or no response question in relation to having received harsh punishment or abuse in the female questionnaire. At the same time the typology studies of Snyder and Fruchtmann (1981) and Follingstad et al. (1991) provide evidence that past history of abuse in the family of origin is a variable that can discriminate between groups of battered women and may have utility in the development of differential intervention strategies. Thus, questions relating to the closeness of the relationship with parents; age at the time of leaving home; and the incidence of arguments and abuse observed between the parents are included in both questionnaires.

Saunders (1991) argues that "faking-good" is the most likely type of response bias for socially disapproved behaviours like violence and discusses ways in which researchers may utilise instruments such as social desirability scales to adjust self report measures. However, all the research evidence in relation to partner abuse would suggest that the self-report of the female partner is a much more reliable data source. For example Edelson and Brygger (1986) found significant differences in the self-reports of the male and female partners in a post batterer treatment follow-up study. They reported that "Agreement existed primarily when there was no violence reported by both the victim and the abuser (p 381)".

In early drafts of the questionnaires a decision was made to base the measurement of the abusive behaviour on the female partner's account and the full CTS was incorporated into the female version. While on the other hand the male version contained a simplified yes/no response version of the scale to obtain a measure of agreement or to generate a denial measure or variable. This method was discarded, because this would only enable the measurement of the incidence of physical violence with the responses of the female partners and those cases where data is available from the male partner and not the female partner could not be used in the analysis. The complexity and length of the research instruments may well result in a low response rate and a decision was taken to include the basic CTS items in both questionnaires to enable the data from all respondents to be used in the initial quantitative analysis.

Based on Szinovacz's (1983) finding that no male reported the more serious levels of physical abuse (as discussed in the literature review section) it was decided to exclude the last two items from the male version. Further support for this decision is to be found in Riggs et al (1989) study, which found that victim reports of violence are susceptible to social desirability bias but to a lesser degree than aggressor reports and that reports of the more severe interpartner aggression were more susceptible to intentional falsification.

It is important to note that all these reported studies in the literature review were with populations of batterers that were in treatment programs. There are no data that would suggest the probability of intentional falsification with client groups that are not seeking treatment and moreover are involved in an adversarial dispute over custody or

access issues. Or more simply stated clients that have a vested interest in trying to demonstrate they are good parents and the other party is a bad parent. It is predicted that bias and intentional falsification will be an even greater problem with this client population. It will be easier to investigate these research questions if the responses of both parties to the same questionnaire questions are obtained.

Gondolf's (1988) typology of batterers included the sociopathic type, which included the most lethal and resistant to change individuals. The variables that discriminated this group from the other two types that are more amenable to change were the presence of sexual abuse; very threatening behaviour including the use of weapons; likelihood of arrests for violent crime; and alcohol or drug abuse and associated crime. Saunders (1992) produced a similar three-cluster solution based on a population of batterers.

The association between drug use and violence has been established in many studies, however the causal connections between drugs and violence are extremely complex and highly contentious issues in the literature. Despite this lack of clarity it is evident that the more chronic the abuse of some drugs, including alcohol, the stronger the association between the abuse and violent behaviour (c.f. Miller and Potter-Efron, 1990; and Taylor and Leonard, 1983).

It was thus decided to retain two ISA items and include two further items in the questionnaire to assess drug abuse and associated abusive behaviour and include questions related to violence outside the relationship to provide data in relation to the above-mentioned variables, most of which are likely to aid in the discrimination between groups and be good predictors of outcome. In addition the Marital Conflict Index was included in the instruments, because of its utility as a predictor variable in the Saunders study, and to enable an independent analysis of the influence of marital conflict on outcome.

